To the FCC:

This is a comment in regard to FCC “Restoring Internet Freedom Notice of Proposed Rulemaking” (FCC-17-60).

I am against the proposed rulemaking. Internet service providers (ISPs) should continue to be regulated as common carriers. Continuing this practice – along with prudent exercise of regulatory authority under this regulatory framework – is the best way to ensure that the FCC can fulfill its mandate “to make available, so far as possible, to all the people of the United States a rapid, efficient, nationwide, and worldwide … communication service with adequate facilities at reasonable charges” (Communications Act of 1934, 47 USC 151, as amended). The internet is a different medium than the “wire and radio communications” contemplated in the original Communications Act, but the exact medium is beside the point that technology alters the speed and scope of communication, and the terms on which the people of the United States can access it for their benefit. (Note that subsequent legislation and rulemaking brings the internet explicitly under the legislative scope of the Communications Act.) In fact, the broader language of the Communications Act seems especially apt for the internet, which is “rapid, efficient, nationwide, and worldwide” beyond the imagining of the first generations to confront the need to regulate communication with rapidly advancing technology.

Maintaining the existing regulatory framework promotes competition among ISPs, which is limited to essentially nonexistent in the US within geographical markets. Of course, ISPs compete vertically with content providers, and they compete in financial markets to control assets and secure investment funding. And ISPs will always compete with regulators to find ways to use their market position for their own benefit. But the market power that ISPs derive from physical infrastructure will always be sufficient to deter competitors, and in general is not balanced by an ability of customers to get services from alternative providers.

The proposed rulemaking exacerbates these problems rather than solves them, in contravention to the FCC legislative mandate. The outpouring of numerous public comments like mine further attest that the proposed rulemaking is the wrong direction for the people of the United States.

Sincerely,  
John L King  
Davis, California