

October 17, 2014

***Ex Parte* Notice
VIA ECFS**

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Protecting and Promoting the Open Internet, GN Docket No. 14-28;
Framework for Broadband Internet Service, GN Docket No. 10-127**

Dear Ms. Dortch:

On October 15, 2014 Edyael Casaperalta from Public Knowledge and representing the Rural Broadband Policy Group (“RBPG”), Mr. Lucas Nelsen from the Center for Rural Affairs, and Ms. Becky McCray, author of *Small Biz Survival*, met with Mr. Nick Degani, Legal Advisor to Commissioner Ajit Pai.

Ms. Casaperalta introduced Mr. Degani to the work of the Rural Broadband Policy Group, a national coalition of rural groups that advocate for expanding access to affordable, reliable, and high-speed Internet in rural areas. Rural residents experience less access to all telecommunications services precisely for living in remote, sparsely populated areas. By the Commission’s own assessment, of the 19 million people unable to access broadband networks at home, 14.5 million live in rural areas. As economic, cultural, and civic engagement activities increasingly move to online platforms, disconnected rural communities are kept from full participation in our economy, democracy, and society.

But getting online alone is not sufficient to level the playing field. In order for rural people to obtain the full benefits of connectivity, our voices, stories, and ideas cannot be downgraded to a slow lane. It is the neutrality of the Open Internet that has given rural people an opportunity to launch businesses from our hometowns, revitalize our regional economies, share rural culture with global audiences, and amplify rural voices in debates shaping our society. Simply put, rural communities depend on Network Neutrality to get a fair shake.

RBPG members believe that Network Neutrality rules are vital to protect the unfettered access to the Internet. The FCC demonstrated its commitment to the Open Internet by adopting Network Neutrality rules in 2010. However, the D.C. Court’s decision to strike down the rules this January leaves the FCC only one way to reaffirm its commitment: Title II Reclassification. The Commission *can* establish enforceable Network Neutrality rules that will survive a challenge in court by reclassifying Internet service as a Title II telecommunications service and treating Internet service providers as common carriers. The Rural Broadband Policy Group strongly

supports Title II Reclassification.

Ms. McCray and Mr. Nelsen attended this meeting to share stories from rural entrepreneurs and advocates, like themselves, that depend on Network Neutrality to run their businesses and organize their communities.

Ms. McCray owns a liquor store and cattle ranching business in Hopeton, Oklahoma, a town of 30 people. She also writes about how to run a small business and connects with other small business owners across the country via her blog, Small Biz Survival. Ms. McCray talked about her experience running a business that is very Internet-dependent even though its products are not sold online. To run her liquor store from her very small town, Ms. McCray has to compete online with larger liquor businesses in metropolitan areas on bids for merchandise. She also uses an Ipad as a cash register and depends on the reliability of her Internet connection to provide a hassle-free purchase experience for her customers. All of her business-related activities, from merchandise ordering to sales to marketing are dependent on her Internet presence. Ms. McCray stated that Network Neutrality allows her to compete on the same level and reach the same customers that a large liquor business does. Further, she said that if the FCC allows Internet Service Providers to sell fast lanes to businesses that can afford them, she would be at a competitive disadvantage because she simply does not have the capital. In essence, the ability of her small rural business to survive would be jeopardized if the level playing field that the Open Internet offers disappears.

Via her blog, Ms. McCray asked her readers to chime in with their rural broadband stories. Grant Griffiths contacted Ms. McCray about his experience launching a small word press template business from his basement in Clay Center, Kansas. Mr. Griffiths' told her that within hours of having launched his business online, he started receiving orders from Australia and customers around the world. Another example of a businesses owner dependent on the Open Internet is Ms. Janell Harman, who runs an agriculture business. Ms. Harman told Ms. McCray that she spends her time at work "waiting on information to sync." In the field, tractors collect information about soil status, nutrients, and irrigation and constantly upload it to Ms. Harman's smart phone and desktop for effective monitoring of her crops. Finally, Ms. McCray told the story of an architecture firm in Fort Scott, Kansas that cannot send big files to their colleagues in Austin, Texas because their Internet connection is too slow. Their only option to share these files is to load them onto a USB drive, get on a plane, and fly it there.

Mr. Lu Nelsen's account echoed the need for Network Neutrality rules. Mr. Nelsen is a policy analyst at the Center for Rural Affairs in Lyons, Nebraska, a town of 851 people. Mr. Nelsen uses the Open Internet to connect with colleagues across the country to collaborate on rural development and advocacy initiatives. They communicate via email and occasionally via webinars. But when running a webinar, Mr. Nelsen stated that he has to make sure no one else in the office is running data-heavy applications because their 3 megabytes download speed is hardly sufficient to host an audio and slide show webinar. Further, staff at the Center for Rural Affairs also uses the Open Internet to research and apply for grants that fund their work. Mr. Nelsen notes that rural organizations like his already face funding challenges just to operate. An Internet that discriminates against them due to their inability to pay for more would make it even more difficult to do their work.

Rural advocates are concerned that without Network Neutrality rules, Internet Service Providers will be allowed to prioritize the connections of high-profit clients at the expense of neglecting or even degrading the connections of low-profit clients. We are concerned that the absence of Network Neutrality rules means that only business owners and organizations that can afford the fast lane will reach customers and colleagues around the world, and transfer data efficiently. We are concerned that we will be at a competitive disadvantage that the Open Internet had helped us overcome. We are concerned that we will be stuck with a slow connection, if one at all. This dynamic will disproportionately hurt rural entrepreneurs and organizations already struggling to survive.

The neutrality of the Open Internet is what has allowed the rural people discussed in this meeting to launch a business from their rural town, bring their goods to the global market, connect with colleagues in other rural towns, and contribute to the development of their rural regions. The promise of the Open Internet for the sustainability of rural communities across our country is too important to compromise. For these reasons, the Rural Broadband Policy Group supports Title II Reclassification as the only route to establish strong Network Neutrality rules that keep the Internet the level playing field where rural folk have a shot.

Ms. Casaperalta gave Mr. Degani a copy of the letter endorsed by 53 rural stakeholders – museums, businesses, disability advocacy groups, arts institutions, community media centers, social justice and environmental organizations, online publications, etc. – asking for Title II Reclassification and enforceable Network Neutrality rules. This letter was filed on September 16, 2014 in the dockets pertaining the Open Internet. Ms. Casaperalta presented this letter to demonstrate strong rural support for Network Neutrality rules and reclassification.

Respectfully submitted,



Edyael Casaperalta
Rural Broadband Policy Group Coordinator
National Rural Assembly

Internet Rights Fellow
Public Knowledge
1818 N Street, NW Suite 410
Washington, DC 20036
202.861.0020
edyael@publicknowledge.org