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Congress of the United States
House of Representatives
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COMMITTEE ON ENERGY AND COMMERCE

- SUBCOMMITTEE ON ENERGY AND POWER
- SUBCOMMITTEE ON ENVIRONMENT AND THE ECONOMY
- SUBCOMMITTEE ON HEALTH
- SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

DEMOCRATIC SENIOR WHIP

November 13, 2014

1193

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Chairman Wheeler:

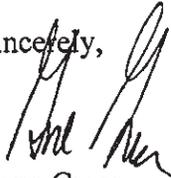
Last May, I sent you a letter, signed by 20 Members of the House Democratic Caucus, voicing our concern over the reclassification of Internet broadband as a Title II common carrier service. Since that time and in light of the wide level of interest from the public, advocates, and industry, my concern over reclassification has only grown.

I have always and continue to be a strong supporter of net neutrality and maintaining a free and open Internet. For the past several years, I have joined my colleagues on the Energy and Commerce Committee in calling for the Commission to issue rules that would protect consumers and encourage further innovation. These protections, however, should not and cannot be mutually exclusive of greater broadband investment. Reclassification would undoubtedly result in years of litigation, uncertainty for Internet users and stakeholders alike, and bring investment to a near standstill. Just yesterday, AT&T, one of our nation's largest broadband providers, announced that it would halt its fiber investment in 100 U.S. cities, including my hometown of Houston, as a result of the growing regulatory uncertainty for Internet broadband providers.

It is for these reasons that I urge the Commission to follow the roadmap set by the DC Circuit Court in *Verizon* and regulate broadband Internet under Section 706 of the Telecommunications Act.

I appreciate your attention to this matter. Please do not hesitate to contact me if I can be of assistance on this or other matters before the Federal Communications Commission.

Sincerely,


Gene Green
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Gene Green
U.S. House of Representatives
2470 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Green:

Thank you for writing to express your continued concerns over the reclassification of broadband under Title II of the Communications Act. You also express concerns about the effect that reclassification could have on broadband investment. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression and innovation, as well as that strong rules will spur additional economic growth and investment. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

As you know, after the D.C. Circuit decision, the Commission sought comment on how to best reinstate Open Internet rules in order to protect consumers and innovators online. We sought comment on using either or both Section 706 of the Telecommunications Act and Title II or the Communications Act to protect what the court described as the "virtuous circle" of innovation that fosters broadband deployment and protects consumers. I promised that in this process all options would be on the table in order to identify the best legal approach to keeping the Internet open.

I look forward to continuing to receive input from all stakeholders, including the public, members of Congress of both parties, and my fellow commissioners. Ten years have passed since the Commission started down the road towards enforceable Open Internet rules. We must take the time to get the job done correctly, once and for all, in order to protect consumers and innovators online successfully.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler".

Tom Wheeler