



October 14, 2009

Chairman Julius Genachowski  
Commissioner Michael J. Copps  
Commissioner Robert McDowell  
Commissioner Mignon Clyburn  
Commissioner Meredith Attwell Baker

**Re: Broadband Industry Practices (WC Docket No. 07-52)**

Dear Sir or Madam:

My name is John Ellis Price. I am the vice chancellor of the University of North Texas System and CEO of the UNT Dallas Campus. I wish to raise two potentially unforeseen problems with Chairman Genachowski's net neutrality proposal.

First, I fear net neutrality principles, when codified into regulation with sanctions applicable to violations, will make it more challenging for our students to utilize distance learning. Because their interactive online course attendance would be given equal priority to any other Internet traffic, interruptions could be more frequent - and more frustrating - than if distance learning traffic were given its proper priority.

Prioritizing distance learning is not a function of prudent network management. There is nothing about distance learning which potentially compromises the capability of a broadband network to function properly. Indeed, a decision to prioritize the packets comprising distance learning transmissions are made by the network managers in conjunction with universities. Net neutrality regulations could stifle such arrangements and subject students' lessons to the whims of Internet traffic.

Second, I doubt the codification of net neutrality principles will do anything to bridge the Digital Divide. Government regulation, especially when applied to media which have heretofore thrived without regulation, increases risk and, often, costs. Wherever risk and costs are increased, the incentive to invest is decreased, especially where profitability was marginal to begin with.

It stands to reason that portions of the population not currently served by broadband are thought to be of less than ideal profitability. To make it more risky and costly to serve these populations is to consign them to permanent offline exile. This is hardly what President Obama had in mind when he proclaimed ubiquitous broadband availability a national goal.

As an educator, I believe nothing is more important than ensuring the best possible opportunities for students to learn, achieve, and excel. As an accountant, I understand the role risk plays in business decisions, profitability, and investment. Net neutrality regulations neither improve the opportunities for students to excel nor reduce risk in a highly competitive market. As such, I urge the FCC to reject them.

Sincerely,

John Ellis Price  
Vice Chancellor and President Designate