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

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: GN Docket No. 09-191

January 6, 2010

Dear Chairman Genachowski and Commissioners:

Throughout my Congressional career I consistently kept in mind the injunction taught by medical ethicists: "first, do no harm." That is sage wisdom, whether applied to health care or communications policy. With that in mind, I was concerned when I recently learned of the direction the FCC's open Internet Notice of Proposed Rulemaking regarding what some have called "net neutrality."

The Internet has evolved and grown precisely because long-standing bi-partisan Federal policy allowed the market to work free of pervasive regulation, with the understanding that the government would step in if or when there was a need to correct some development which was harmful to consumers. This even-handed approach achieved a good balance between encouraging investment and innovation while assuring consumers the benefits of an open Internet.

An unbiased observer would be hard-pressed to find a better example than the Internet of a marketplace success that benefits consumers. According to the FCC's own report from last July, high-speed Internet subscribers have grown from 22.9 million in June 2003 to over 132.8 million as of June 2008. The industry has gone from 105 broadband providers in December 1999 to 1,395 in June 2008.

I believe the proposed changes in the FCC rules, would institute new government regulations and seem to imply a shift in emphasis away from consumers. The FCC's existing policy clearly sets forth the benefits to which consumers are entitled in an open Internet ecosystem. But under the NPRM, the focus is on defining the obligations of

communications companies. By shifting the regulatory attention to engineering and technical details associated with existing companies and technology, it creates the risk that consumers could be left out as the industry continues to change and new technologies emerge.

If there is an existing, demonstrable problem not solved by the current rules, let's address it. If not, I would urge continued vigilance while also working to ensure that the benefits of the Internet reach all our citizens, including those with low incomes or who happen to live in rural areas.

Just as bringing electricity and basic telephone service to all households reshaped our communities, improved quality of life and opened up new doors of opportunity, the Internet is going to transform our world. We are already seeing that take place and I believe the pace will accelerate in the years ahead. But I am concerned that overhauling policies which have proven fair and effective at laying a positive foundation presents an unnecessary risk of putting the brakes on the growth of the Internet and robbing our citizens of potential benefits.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz J. Patterson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Liz J. Patterson
Former Member of Congress