

The FCC must reclassify broadband as a "telecommunications service" so that it can keep the Internet open and free of corporate gatekeepers.

Without vital Net Neutrality protections and the ability to enforce them, the Internet will cease to be a public platform for free speech, equal opportunity, economic growth and innovation. Instead, companies like AT&T, Verizon and Comcast, which have a commercial incentive to limit the free-flowing Web, will decide whose voices are heard.

You still have the power to protect the public interest. Please stand with us and keep the Internet in the hands of the people who use it every day.

There is a clear and consistent path that began with the Commission's first treatment of this issue in 1970 and runs clear through Congress's

creation of the 1996 Act: If you are a facilities-based provider⁹⁵ offering an information service (or "enhanced service" or "advanced service" or simply "broadband Internet access") you are always offering a basic service plus an enhanced service. As the Commission stated in the 1998 ruling, "An end-user may utilize a telecommunications service together with an information service, as in the case of Internet access. In such a case, however, we treat the two services separately: the first service is a telecommunications service (e.g., the DSL-enabled transmission path), and the second service is an information service, in this case Internet access." Regardless of semantics the purpose was always to promote competition in the ISP, content and applications markets by restraining the market power of the companies that own the critical underlying transmission infrastructure.

The last administration and the Supreme Court began dismantling this effort in favor of an unrestrained, anti-competitive policy favoring the market power of the increasingly fewer giant telecommunications companies such as Comcast and Verizon. The Court, as you know, made much turn on semantics. You can continue the process of restoring competition, and renew a commitment to net access and net neutrality by taking the position the Court left open to the FCC. Semantics can serve the nation's interests as it has served the telecommunications company's interests to the detriment of us all.

Internet service in this nation is slower, more expensive, and less competitive than in many other countries. Don't leave America behind.