

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20054

In the Matter of	)	
	)	
Preserving the Open Internet	)	GN Docket No. 09-191
	)	
Broadband Industry Practices	)	WC Docket No. 07-52

**REQUEST FOR EXTENSIVE NATIONAL PUBLIC HEARINGS ON NET NEUTRALITY**

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May 17, 2010

## Request for Extensive National Public Hearings on Net Neutrality

This filing requests extensive public hearings and is filed under two pending net neutrality proceedings before the FCC (GN Docket No. 09-191 and WC Docket No. 07-52). However, we assume and expect that there will be a new net neutrality proceeding relating to the Third Way and other efforts under Title II.

To assist this Commission in preparing for what could be the most important and possibly the most controversial FCC proceeding in the last few years, we wish to ensure that this Commission receives as quickly as possible, expressions of deep interest by communities that are often unheard before the FCC. In particular, we are raising the issue of public hearings on behalf of 18.5 million Asian Americans, a group with a disproportionately large percentage of new immigrants with many major but overcomable language barriers and with an educational level that exceeds that of the national population, particularly among its young adult population.

On May 13<sup>th</sup>, we sent to this Commission a preliminary request for extensive public hearings and incorporate this document by reference herein. (Attached as Exhibit A.)

On May 22<sup>nd</sup>, we will be holding our third national broadband conference for Asian Americans and it will be held in Chicago. At this Chicago conference, we will formally seek input from the Asian American community relating to their desire to learn more about net neutrality, to be included in the net neutrality decision making and to secure public hearings at which they can personally participate. The information secured from this conference will be submitted as an addendum to this request for extensive national public hearings. We have also set similar broadband conferences for New York on July 26<sup>th</sup> and San Francisco on October 18<sup>th</sup>. We will be urging that the FCC and all appropriate parties on net neutrality participate at the upcoming New York and San Francisco conferences.

Because the FCC has had limited experience with public hearings (as pointed out by the Comcast/NBC Universal attorneys in opposing Mabuhay Alliance's request for public hearings in the Comcast/NBC Universal merger) we and other groups will be attempting to provide expertise to the FCC on public hearings. For example, an expert who has arranged for more than half of the public hearings for the Federal Reserve for the past 20 years has agreed to assist us and the FCC. And the expert, who with Mabuhay Alliance drew 5,000 Asian Americans in Southern California for the first Asian Heritage Festival, has similarly agreed to assist the FCC in ensuring large and significant Asian American turnouts and input.

Our letter to the FCC (Exhibit A) also sets forth various reasons why such extensive public hearings are appropriate. However, since it appears that net neutrality could depend upon congressional action, we will begin to inquire as to congressional support for such public hearings such as has been evidenced by the FCC request of 45 congresspersons in the Comcast/NBC Universal merger and strongly supported by Commissioner Clyburn.

Respectfully submitted,

/s/ Faith Bautista  
Faith Bautista  
President and CEO

/s/ Mia Martinez  
Mia Martinez  
Deputy Director

May 17, 2010

## **EXHIBIT A**



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May 13, 2010

Chairman Julius Genachowski  
Commissioner Meredith Attwell-Baker  
Commissioner Mignon Clyburn  
Commissioner Michael Copps  
Commissioner Robert McDowell  
Media Bureau Chief William Lake  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554  
SENT VIA FAX AND US MAIL

***Request for Extensive Net Neutrality "Third Way" Public Hearings throughout the U.S.***

Dear Chairman Genachowski and Commissioners Baker, Clyburn, Copps and McDowell,

We are formally requesting extensive public hearings to begin as soon as possible throughout the U.S. relating to the FCC's "third way" proposal on net neutrality. We believe that public hearings are the best way to determine the views and concerns of the public, particularly underserved communities such as new immigrants, Asian Americans, Blacks, Hispanics and/or the rural poor.

Although Comcast lawyers have pointed out that over the last decade, public hearings were rarely used by the FCC, FreePress, Media Access Project, Consumers Union and Consumer Federation of America have pointed out the deficiencies of Comcast's opposition to public hearings, given the past makeup and perspective of the FCC. Forty-five congresspersons, led by Maxine Water, have strongly supported public hearings in the Comcast/NBC Universal merger. Surely, if we can have public hearings on a specific case, we should have extensive public hearings on the "third way" and its national implications.

Asian American Perspective

We cannot and do not presume to speak for all the consumer groups or the Black and Hispanic communities. But we do know that generally, they are all adherents of transparency and the democratic importance of a fully educated and participating public. This is especially important for our nation's 18.5 million Asian Americans, a disproportionately large percentage of whom are new immigrants and have language barriers.

It is for these reasons that we have begun a series of broadband conferences throughout the U.S. beginning in DC on February 19<sup>th</sup> and in Los Angeles on April 12<sup>th</sup>. This is also why we have set three



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more conferences by October this year in Chicago on May 22<sup>nd</sup>, in New York on July 23<sup>rd</sup> and in San Francisco on October 16<sup>th</sup>.

At our Los Angeles broadband conference, Comcast, Cox, AT&T, Verizon, the California Public Utilities Commission, the FDIC and community leaders spoke to 110 primarily Asian American community leaders, although a number of leaders came from the Black and Hispanic communities. And of course, we have urged and welcome the FCC's participation at these educational conferences on broadband.

For the net neutrality public hearings, we should consider unusual or nontraditional venues in order to maximize participation and reach out to underserved communities. For example, Mabuhay Alliance hosted an Asian Heritage Festival on May 8<sup>th</sup> which was attended, according to police estimates, by 5,000 Asian Americans, primarily from San Diego, Orange and Los Angeles counties. We used this event to discuss federal banking regulation matters and conducted a survey we have made available to the federal regulators. This type of nontraditional forum could increase the attendance of public hearings which often are far less than 100.

At a minimum, we urge public hearings in at least 10 locations across the country, including one in DC and at least one in California. We would be pleased to be of service to you wherever there are large Asian American populations, such as in California, Illinois, New York and New Jersey. We would also be happy to assist you in hearings in smaller states where there are significant Asian American populations, such as Nevada and Las Vegas, where we have two offices.

We would urge, using the successful California Public Utilities Commission model that we have participated in, that at least one, and, if possible, a Democratic and Republican appointed Commissioner, be in attendance at the opening part of the public hearing. We would also urge that aside from allowing the public to participate, there would be an educational panel in the opening session that includes the Google/Apple/Amazon view and the AT&T/Verizon/cable company view, plus the views of consumer groups and of minority consumer groups. If possible, we would also urge that congressional leaders be represented from both political parties.

Next week, we will begin our discussions with some congressional leaders on the importance of supporting public hearings in regard to their view on the FCC's "third way". Perhaps from these hearings we will develop a census on a "third way".

On behalf of the Asian American community, we thank you for being a Commission we believe in and for being a Commission that is concerned about ensuring high speed and high quality broadband for all of us within this decade.

Sincerely,

A handwritten signature in cursive script that reads "Faith Bautista".

Faith Bautista  
President and CEO