

**Before the**  
**FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, D.C. 20554**

In the Matter of )  
 ) GN Docket No. 10-127  
Framework for Broadband Internet Service )

**COMMENTS OF THE CITY OF PHILADELPHIA**

The City of Philadelphia (“City”) respectfully submits these Comments in support of Comments filed by the National Association of Telecommunications Officers and Advisors (“NATOA”) in response to the June 17, 2010 Notice of Inquiry adopted by the Commission in the above captioned proceeding (“Notice”). We join NATOA in supporting the Commission’s efforts to establish a stable legal framework that will permit the Commission to effectively implement the National Broadband Plan and provide increased consumer protection. The City fully supports NATOA’s position that reclassification of broadband as a “telecommunications service” under Title II is necessary in order to provide the certainty, stability, and predictability required to advance the Commission’s broadband agenda.

Reclassification of broadband as a telecommunications service under Title II will provide the Commission with the oversight authority required to protect the public interest in an open Internet delivered to consumers on a fair and transparent basis. We join NATOA in encouraging the Commission to approach this proceeding as an opportunity to evaluate both the legal framework necessary for future broadband plans and the level of oversight that is most in line with the public interest moving into the future. Even if the third legal framework discussed in the

Notice – forbearing from the application of all but a subset of “core” statutory provisions<sup>1</sup> – is found to be sufficient to advance the proposals set forth in the National Broadband Plan, this should be considered the minimum level of oversight necessary to protect consumers and preserve the open nature of the Internet. Thus, a decision by the Commission to forbear from the enforcement of any provision of Title II as it may apply to broadband Internet services should be preceded by a thorough analysis of the impact of such forbearance on the public interest.

Dated: July 15, 2010

Respectfully submitted,

THE CITY OF PHILADELPHIA

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<sup>1</sup> Notice at 68.