



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

GN Docket No. 10-127

July 14, 2010

Dear Chairman Genachowski and Commissioners:

The Alliance for Digital Equality (ADE) is a group founded on the core belief that digital technology is one of the most promising tools available to close the economic disparities that exist between affluent and distressed communities. As a non-profit organization with nearly 1,000 community institutional leaders across the nation directing ten nationwide digital empowerment councils, we advocate on behalf of those without a voice or who find themselves on the wrong side of the digital divide.

ADE submits this Notice of Inquiry filing to inform you that we and the communities we represent do not believe that Title II or any sort of Third Way proposal will help bridge the digital divide. In fact, we believe any plan that involves increased regulation of high-speed Internet access will bring with it negative consequence such as reduced investment, a damaging impact on job creation and reduced opportunities for Internet access in disadvantaged communities.

In addition to the negative consequences of Title II or the Third Way proposal, the process being utilized by the Federal Communications Commission (FCC) is inherently unfair to communities without adequate access to broadband connections. Ironically, much of the proceeding and the information related to the proceeding is only available to those with broadband. Throw on top of that the compressed timetable in which the FCC is working, they are making it exceedingly difficult for disadvantaged communities to organize and weigh in. As an advocate for these disadvantaged communities across the United States, ADE is looking to counter your abrupt push for increased regulation.

Rather than rushing through the FCC rulemaking process, ADE favors Congressional action on this all important issue. Unfortunately, we believe the FCC has strayed from the goals of the National Broadband Plan that was announced just a few short months ago. And we believe Congress will focus its efforts on what is truly important - increasing broadband access, adoption, and affordability. ADE is in full support of taking the steps needed to enact and leverage the National Broadband Plan to narrow the digital divide and provide broadband Internet access to every American, without imposing new regulations related to Title II.

Title II and the Third Way that you propose will stand in the way of achieving the goals of the National Broadband Plan. More specifically, the proposed Third Way will restrict deployment of broadband infrastructure by inhibiting investment, discourage adoption by artificially limiting



Internet availability, and increase costs by reducing competition. All of this will exacerbate the too-wide digital divide and leave the disadvantaged without the means to improve their quality of life through the benefits offered by high-speed Internet.

As the world of business, medicine and education shift toward a more digital based economy, the FCC's Third Way proposal could worsen the problems of low and moderate-income Americans who have disproportionately borne the brunt of the recession. Additionally, the FCC's proposal could restrict consumer choices and inhibit access to affordable technology in the communities we represent. This is why we believe that Congress, not the FCC, is the appropriate body to define the authority for new broadband regulations. Congress will act to protect the disadvantaged from the unintended consequences your untested proposal will surely result in. Additionally, ADE is confident Congressional action will protect the jobs and educational opportunities that are rapidly becoming available to marginalized communities under the current system.

All of this is not to say that the current system is without flaws; however, ADE believes this system is preferable to Title II regulation or the FCC's Third Way. The FCC should look to Congress to develop a constructive framework that enables the achievement of the goals of the National Broadband Plan. Congress will provide disadvantaged communities with a voice, and as a result these communities will be better positioned to benefit from the quality of life improving potential of high-speed Internet access. Moreover, Congressional involvement will ensure that smart, investment inducing policies are enacted, empowering communities across the country.

Thank you for the opportunity to submit these comments.

Sincerely,

The Alliance for Digital Equality

A handwritten signature in black ink, appearing to read 'Julius H. Hollis', written in a cursive style.

Julius H. Hollis, Chairman  
Alliance for Digital Equality