



*Brad Henry*  
*Governor*

May 20, 2010

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

**Re: Regulation of Broadband Through the Communications Act**

Dear Chairman Genachowski:

While the majority of Oklahomans are benefiting from the advantages of broadband services, residents who live far from the nearest city or town still don't enjoy affordable high-speed Internet access. That's why I was pleased to hear about your commitment to delivering broadband to 100 percent of Americans.

As I related to you in my letter of Oct. 7, 2009, I believe the best and most-proven way to reach all Americans with broadband is to follow a model of light or no regulation for these services. Following this direction, we've seen broadband expanded to some of our smallest towns, prices drop by half and adoption rates climb by more than 1000 percent.

Yet, I'm now concerned that this success will be thwarted by the current proposal to apply 1934-style regulations to the Internet. Reclassifying broadband services and placing them under Title II regulation creates uncertainty for a technology that hundreds of thousands of Oklahomans rely on every day.

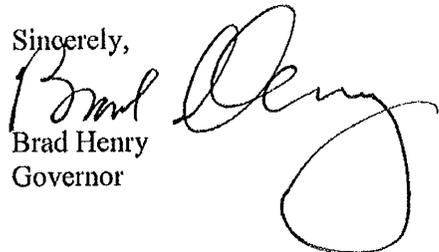
In 2002, the passage of a broadband parity bill eliminated state regulation on the service. Since that time, we've witnessed an influx of investment by competing communications companies seeking to win over customers statewide on price and service quality. This would not have occurred without that 2002 legislation. With the greater availability of affordable broadband, rural and urban residents are launching and expanding their businesses, schools are growing their online capabilities and medical facilities are partnering with rural doctors.

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In Oklahoma, the hands-off approach to broadband regulation has worked and worked very well. Imposing regulations on this service would be a step backward from the progress we've already achieved and put future investment in this much-needed service at great risk.

I hope you'll seriously consider the detrimental effects that Title II regulations could impose on this booming technology. Thank you for the great work you do on behalf of all Americans.

Sincerely,

  
Brad Henry  
Governor

cc: Ms. Valerie B. Jarrett  
Senior Advisor and Assistant to the President  
for Intergovernmental Affairs and Public Engagement

Dr. Lawrence H. Summers  
Director of the National Economic Council and  
Assistant to the President for Economic Policy

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Commissioner Robert M. McDowell  
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Commissioner Mignon Clyburn  
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