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Nonprofit Technology Network

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Federal Communications Commission  
Office of the Secretary

June 29, 2010

Federal Communications Commission  
445 12<sup>th</sup> St., SW  
Washington, DC 20554

Re: Framework for Broadband Internet Service, GN Docket No. 10-127 and  
Preserving the Open Internet, GN Docket No. 09-191

Dear Chairman Genachowski and FCC Commissioners:

We, the undersigned, represent nonprofit organizations and for-profit allies that support Net Neutrality, the principle that keeps the Internet open and free from discrimination. We are writing to urge you to stand with us to protect our online freedom.

Right now, Washington is in the midst of a critical debate over whether the Internet will continue to serve as an essential vehicle for free speech, economic opportunity and civic engagement.

Following an April 6 decision by the U.S. Court of Appeals for the D.C. Circuit, the Federal Communications Commission must now reassert its authority to protect Internet users and to serve as a watchdog over our nation's dominant communications medium.

Net Neutrality is vital to ensuring that everyone has a voice on issues of public concern. Open Internet opponents have claimed that Net Neutrality rules would give the government the power to "become the Web's traffic cop, shutting down free speech on the Internet." Nothing could be further from the truth. Without rules to prevent discrimination, Internet providers will be free to choose whose voices are more important and whose get left out.

By enabling an open, diverse and free-flowing Web, Net Neutrality has unleashed a tidal wave of civic participation. Our organizations rely upon an open Internet to spread the word about our work, engage more people in our issues, and build support at the grassroots level.

President Obama and the FCC have pledged to preserve the open Internet by enacting Net Neutrality rules that will ensure that all voices are given an equal chance to flourish on the Internet. But the Internet's value as a medium for civic and democratic engagement is now at risk.

The April 6 court decision in *Comcast v. FCC* undermined the FCC's ability to protect Internet users, and has left the open Internet unprotected. The phone and cable companies are now free to block content and applications they don't like and to favor some voices at the expense of others.

The FCC can remedy this problem by simply classifying broadband transmission as a

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"telecommunications service," as originally intended by Congress. This would restore the regulatory framework that Congress adopted for all two-way communications networks. By contrast, we believe that attempting to move forward without clarifying the FCC's regulatory authority would bring about continued uncertainty, placing at great risk not only Net Neutrality, but also other elements of the Commission's National Broadband Plan.

Failure to protect the Internet would impair our ability to share information, empower people, and carry out our public interest work. As prominent members of the nonprofit sector and businesses allied with it, we urge the FCC to take action now to classify broadband transmission as a telecommunications service and affirmatively safeguard the free flow of information and ideas online.

Sincerely,

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