

The proposed Protecting and Promoting the Open Internet bill that would allow ISPs to charge online content creators for access to faster data lanes would cause irreparable damage to arguably the most important means of communication ever created. Not only should this proposal be shot down, but future legislature with similar goals should be illegal. Regardless of what misleading name is assigned to it, there is nothing at all "open" about the idea that the largest corporations in the country should be able to determine what information its citizens can reliably receive. While this may have been a popular idea at Chairman Wheeler's former role as head of the National Cable Television Association, it is an absolute violation of his current responsibility to represent the best interests of the United States public.

Information is a public good. The free and open transmission of information promotes the general welfare of our nation. This information should not be segregated into those that can afford to pay an ISP toll and those that cannot. Modern innovation is dependent on all entrepreneurs having access to the same infrastructure that their competitors do. Allowing large corporations to buy their way into prioritizing their content over all competition would be a huge barrier to any new company or individual attempting to offer a new and potentially innovative product or service to the public. True net neutrality means a free exchange of information between all people and organizations, regardless of their ability to contribute to election campaigns or hire politicians to cushy high paid executive roles.

It is in the best interest of all Americans (and ultimately all internet users worldwide, as our content creators deliver their data everywhere and this proposal would have far reaching effects) that we immediately classify ISPs as common carriers under Title II of the Telecommunications Act. Internet access is no longer a luxury; it is no longer a product. It is an essential tool for work, commerce, and the exercise of free speech, and a necessity for the vast majority of Americans. Broadband providers use public rights of way to install their cable across the country, and the government has an obligation to ensure that this allowed monopoly is not abused. Given that this installation of cable is controlled by local governments just as utilities are, it is only right that they should be classified and regulated as one. FCC Chairman Wheeler has already offered this as a solution if ISPs abuse this Open Internet legislation, indicating two things: first, that the Chairman acknowledges that this reclassification would be beneficial to a truly open internet, and second, that this current proposal does provide ISPs an opportunity for abuse. Although the Chairman feels that scrapping this proposal "invites delay that could tack on multiple more years before there are Open Internet rules in place, ?????????? there are Americans all over the country who know that this is a fight worth fighting, regardless of how long it takes to get right. This decision will set long lasting precedents that will shape the future of this and all countries for years to come.

In addition, many ISPs themselves publish online content like streaming video, television, music and news. These same ISPs could use these proposed laws to throttle or block their own competitors, an obvious conflict of interest. How this is not immediately apparent to any legislator considering this proposal is astounding. ISPs like Comcast should not have control over the flow of information; they should be held responsible for providing equal and unrestricted access to all content to each and every subscriber. There are repeated claims by these same ISPs that their infrastructure can not handle current demands, which is why their customers often experience far slower speeds than advertised. How these same companies can now promise improved service, but only to corporations that shell out large payments, indicates that they do not have the best interests of their customers at heart. The idea of data congesting their infrastructure is a complete fabrication. If there weren't such monumental barriers to entry for new ISPs, their clients could express their disappointment by moving to an alternative carrier. For most of the nation there is only one broadband carrier available, and you're about to give them a green light to further abuse their customers and hold hostage every individual and company, large and small, who has an online presence. Can we really trust them to act appropriately when the FCC Chairman himself has indicated that there is potential for abuse?

In closing, this issue will never slip under the public radar. Every time a new SOPA, PIPA or "Open Internet" proposal is made, citizens like me will be here to fight it. I repeat: the only acceptable solution is to reclassify ISPs as common

7521108529.txt

carriers under Title II of the Telecommunications Act. Then, and only then, will we be on the road to the internet that we as Americans and all citizens of the world deserve.

Sincerely,
Timothy Holcombe