

Please have the courage to re-classify ISPs as the "common carriers" that they are.

Any rules that allow paid prioritization run counter to Net Neutrality (Open Internet). These agreements MUST be banned - there are better options available to protect the Internet community!

There are 2 recent ideas that both offer superior logic in today's conundrum which will provide REAL Net Neutrality:

1) Article by Tim Wu (professor at Columbia Law School):

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<http://www.newyorker.com/online/blogs/elements/2014/05/tom-wheeler-fcc-net-neutrality-problems.html>

Chairman Wheeler should toughen up his proposal to presumptively outlaw fast lanes and degradation schemes. Then he should specify, as a legal matter, that his rules rely on 706 authority primarily, but are also backed up by the full force of the Commission's authority, should 706 authority fail. Wheeler has already said that Title II authority is "on the table," but he should make this explicit by doing what Congress does routinely, which is pass laws under more than one basis of authority, to best insure the law's survival (lawyers call this arguing in the alternative). Interestingly, this proposal may actually reduce the odds that the telecom industry challenges the rules in court.

If we take political opposition as a given, the Commission's best course is to pass tough rules under 706 with Title II as the backup, to insure the rules survive a court challenge. This strategy may actually ward off court challenges, given that it presents the carriers with a kind of trip wire. Attempting to invalidate the rules with lawsuits could well reactivate the full authority of the Commission over broadband, with the carriers unable to blame anyone but themselves.

2) Article by Chris Riley (Mozilla):

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<https://blog.mozilla.org/netpolicy/2014/05/05/protecting-net-neutrality-and-the-open-internet/>

Follow Mozilla's proposal to modernize the FCC's understanding of Internet access services, and apply its statutory authority for Internet data delivery services in a consistent and complete way. With the Mozilla proposal, the FCC would be able to shift its attention away from authority questions once and for all, and focus instead on adopting clear rules prohibiting blocking and discrimination online (REAL Net Neutrality).

Mozilla is asking the FCC to recognize that technological evolution has led to two distinct relationships in the last mile of the network: the current one, between an ISP and an end user, which is unchanged, plus a "remote delivery" service offered by an ISP to an edge provider (Dropbox, as shown in the referenced web page image), connecting the provider to all of the ISP's end users. In the key to Mozilla's argument, they ask that the FCC to designate remote delivery services as telecommunications services under Title II of the Communications Act.

Either of these solutions would provide for the strong Net Neutrality that the Internet community needs from predatory practices by these "common carrier" ISPs.