

MASSACHUSETTS
40 main st, suite 301
florence, ma 01062
tel 413.585.1533
fax 413.585.8904

WASHINGTON
1025 connecticut ave. nw, suite 1110
washington, dc 20036
tel 202.265.1490
fax 202.265.1489



May 15, 2014

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Via Electronic Filing

Re: GN Docket No. 14-28, *Protecting and Promoting the Open Internet*

Dear Ms. Dortch,

Today, Thursday, May 15, 2014, representatives of innovative Internet companies and several public interest organizations met with Chairman Wheeler and members of his staff to express their concerns about the reported Notice of Proposed Rulemaking in the above-captioned docket.

Accompanying Chairman Wheeler at the meeting were Jonathan Sallet, Acting General Counsel; Gigi B. Sohn, Chairman Wheeler's Special Counsel for External Affairs; and Diane Cornell, Special Counsel to the Chairman. This presentation during the Sunshine period was "requested by" the Chairman "for the clarification or adduction of evidence." *See* 47 C.F.R. § 1.1204(a)(10)(iv). The presentation was thus exempt from the Sunshine period prohibition, pursuant to Section 1.1203(a)(1) of the Commission's rules. We file this notice today in accordance with Section 1.1206(b)(2)(v).

The company representatives and Open Internet advocates in attendance were Althea Erickson, for Etsy; Marvin Ammori, on behalf of Engine Advocacy; Gabriel Rottman, of the American Civil Liberties Union; Steven Renderos, of the Media Action Grassroots Network; Rachel Colyer, of Daily Kos; David Segal, of Demand Progress; and Craig Aaron and Matt Wood, of Free Press.

During the meeting, we expressed our collective users' and members' views regarding the importance an Open Internet, as well as their concerns about the Chairman's current proposal to protect it. For example, more than one million Etsy users rely on that company's site to sell their products and power their small businesses. These individual sellers could not hope to expand their presence online, or to compete against larger businesses and content providers, if ISPs could charge new tolls and access fees for reaching their broadband customers. Startups and other innovative companies need the Open Internet to thrive, and have neither the legal teams nor the resources to negotiate individually with – or litigate against – every ISP in the country.

Edge companies cannot afford the complex, multi-factor, innovation-with-permission framework that would take hold were the FCC to adopt a “commercially reasonable” standard rather than an enforceable, bright-line rule against blocking and discrimination.

Typically marginalized and underserved communities cannot afford to deal with such discrimination either. The individuals who live in these communities, and the grassroots groups that work in them, rely on an Open Internet to tell their own stories and, oftentimes, dissent in ways that traditional broadcast media do not allow.

Hundreds of people protested at the Commission in advance of the May 15 vote, thousands more called, and millions more wrote, signed petitions, and filed comments with the agency. People understand the importance of this issue, and they are ready to tell the Commission about it. Representatives of the membership organizations in attendance described the importance of an Open Internet for their advocacy and organizing efforts on these communications policy topics – and its importance too for all of the other social justice, civil liberties, electoral transparency and civic responsibility topics they work on as well. They discussed the chilling effect on speech from increased consolidation of power in the hands of a few media conglomerates and dominant broadband providers.

In sum, the companies and organizations at today’s meeting articulated the importance of the Open Internet to our democracy and our economy. We described the detrimental impact on innovation and free expression that would result from permitting broadband ISPs to interfere with communications they should carry indiscriminately. We expressed our desire to work with the Chairman and the Commission as they undertake this proceeding and fulfill the promises made by it. But we made clear our position that nothing short of real Net Neutrality will suffice to keep the Internet the vital platform it has become for commerce and activism, with its unique ability to empower new ventures and raise new voices.

Respectfully submitted,

/s/ Matthew F. Wood

Policy Director
Free Press
mwood@freepress.net

cc: Jonathan Sallet
Gigi B. Sohn
Diane Cornell