

Federal Communications Commission
Washington, D.C.

An open Internet is central to how America's broadband providers, and an entire economy that depends on high-speed access, operate their networks. I am opposed to any move that would reclassify broadband at the FCC as a Title II telecommunications service.

Such a move would place broadband network operators, who have to date invested \$1.2 trillion in private capital to expand access, under outdated, heavy handed telephone regulations that harken back to the manual switchboards, copper wires and vacuum tubes of the Ma Bell monopoly. Some estimate that this would add over 1,000 regulatory requirements to an industry that faces rapid technological change, ever shifting customer preferences, and mounting global competition. We would be putting a 21st Century industry under a tariff-like regulatory regime that would require massive bureaucratic involvement for every service modification. Reclassification to Title II would be a devastating blow to innovation for the technology sector of the American economy and, most importantly, for American consumers.

From my point of view, there is nothing about America's burgeoning broadband system that would require reclassification. Nothing is broken. Just the opposite. In 2013 alone, network operators invested \$50 billion in new infrastructure and advanced technology. The broadband industry and its customers have benefited from a sensible and balanced regulatory approach enshrined as policy during the Clinton Administration. From 2012 to 2013, data speeds increased by 25%. With ubiquitous service, and higher rates of data transmission, more and more new services are being introduced that we could only dream about a few short years ago.

I call your attention to the FCC's most recent "Measuring Broadband America" report on network performance that showed steady and significant improvement in the user experience. The report noted that "consumers are moving to faster speed tiers, continuing the trend we highlighted in the February 2013 report and the July 2012 report." The average subscribed speed is now 21.2 Mbps, an average annualized speed increase of about 36% from the 15.6 Mbps average in 2012.

This completely undermines the claim from some interest groups that consumers will be allegedly pushed away from Internet "fast lanes." The entire Internet is now a fast lane, and is becoming more so every year. The government should not prescribe business models on an industry that has proven to be extremely responsive to the needs of the American public for faster and better broadband services and the Web applications that ride on these networks.

This is no time to turn back the clock on broadband development. So many of our nation's key priorities in education, health care, environmental protection and renewable energy technologies, and overall economic growth, are dependent on the continued flow of private capital into the expansion of broadband networks. Title II reclassification would send the wrong message to investors who need a stable regulatory framework to commit new funding with confidence. Broadband network operators would also have to divert time and resources from their core business – deploying new networks and expanding high-speed Internet access – to design and implement the myriad process and compliance systems necessary for new Title II mandates. The cost of this compliance, in time and human resources, would be immense.

We would also see, under reclassification to Title II, more wasteful litigation and more stunting of innovation as the FCC and courts referee endless disputes over new statutory requirements. This would drag on for years. This serves no one.

What we need are broadband networks that help us improve the quality of life for all Americans, create pathways to opportunity, and grow the economy at robust rates. We need information moved quickly and affordably and in ways that adapt to fast changing technology. The overwhelming evidence is that this is just what we've been getting from broadband providers. To sustain and grow the network, we need to maintain a regulatory framework that makes plenty of room for competition, investment and a wide array of business and consumer choices. Reclassifying broadband Internet access providers to a Title II status would be totally at cross purposes with these aims.

Very truly yours,

Alexandra Bruce