

OptiFi
Box 501
Fostoria, Ohio 44830
August 28, 2014

Tom Wheeler
Chairman
Federal Communications Commission
455 12th Street SW
Washington DC 20554

Dear Chairman:

In response to the latest claims regarding Proceeding 14-115 in the matter of Wilson North Carolina and Chattanooga Tennessee bringing claims against the state laws banning city/state run Internet systems. I would like to comment myself.

First, these laws were written and passed by leaders of the state, who these cities elected in a fair and democratic way. These laws are in fact legal, and are able to be passed as any other state law where the General Assembly for such a state votes and is signed by the Governor when passed. Such laws are created to keep projects like iProvo, and UTOPIA from happening again. These cities that plan and construct these massive fiber optic networks being built on the backs of the tax dollars of property owners as a whole and then the networks falling apart and unable to keep going. iProvo's network was sold several times before Google decided to take it over for \$1. Even though it was sold to Google Fiber, the city is still on the hook for the millions still left out in bonds. Those residents will be paying for years to come.

Lebanon, Ohio had a city run and constructed Hybrid Fiber Coax Network that was to compete against Time Warner Cable, yet it was never fully completed, and never did lower rates either. What happened? The network was sold to Cincinnati Bell who has spent millions updating this network due to the city could not afford it.

As we see content prices rising yearly, for the networks that we watch on television, upgrading costs, maintenance, training, and every day costs of these systems will always go up. Who is going to pay for these costs? The IRS states that a non-profit is unable to make a profit, and any company that is owned and operated by a government is automatically a non-profit, therefore, they can NEVER make a profit to keep these networks running long term.

When you look at the prices from these government run Internet systems compared to private companies such as AT&T, Comcast, Time Warner Cable, Verizon, the tax payer funded network really isn't that much lower in price, let alone does not provide the same level of service. Do these cities offer 24/7 tech support? Able to upgrade their backbones to keep up with demand of streaming and cloud based services? It all comes at a price that the local tax payers should NOT be forced to pay for. Recently cities in

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Massachusetts voted on building a local fiber optic system, 17% of one of the cities did NOT vote YES for the system, yet their tax money is going to spent building the network, and then they will be CHARGED a monthly fee to even utilize the network. That is totally double dipping from the government side.

On top of this, the Federal Communications Commission was never given the power by any Congress to create any laws nor invalidate any laws created by any state nor city in the United States. Therefore, you and the rest of the FCC do NOT have the power to decide if these laws are valid or not. The Internet is NOT governed by the FCC and never has been. By the FCC even trying to manage the Internet as a whole, and regulate it, you are in fact overstepping your boundaries and dictating what these states are and are not allowed to do to protect their residents. It's time the FCC and you, Mr. Chairman to follow the law and back away from trying to regulate the Internet and stop claiming that if you don't, the Internet as we know it will go away. The Internet has been self-governing this long and it will still be this way 10+ years from now.

So again, I ask you to leave the states to decide what is best for their residents and do NOT put yourself into their business which is illegal to do so by your agency.

Sincerely,

Kyle Traxler
OptiFi