

Congress of the United States
Washington, DC 20515

1

May 24, 2010

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington , D.C. 20554

Dear Chairman Genachowski:

We are writing to reinforce the strong bipartisan consensus among policymakers, industry participants, and analysts that the success of the broadband marketplace stems from policies that encourage competition, private investment, and legal certainty. The regulatory framework first adopted in 1998 by the Clinton Administration's FCC has resulted in broadband industry infrastructure investment of approximately \$60 billion per year. In the last decade, multiple providers and the hundreds of thousands of workers they employ have brought high speed connections to 95 percent of U.S. households where two-thirds of Americans now access the Internet through broadband at home.

Still, much work remains to be done. According to the National Broadband Plan, 14 million Americans lack broadband access altogether, many underserved areas need more robust broadband facilities, and both wired and wireless broadband services require increasing speeds. As the Plan notes, that work will require as much as \$350 billion in additional private investment. Generating those enormous sums from industry, and the good-paying jobs they produce, will require a continued commitment to the stable regulatory environment that has existed for the last dozen years.

Because of this, we have serious concerns about the proposed new regulatory framework for broadband and the Internet. The expanded FCC jurisdiction over broadband that has been proposed and the manner in which it would be implemented are unprecedented and create regulatory uncertainty. The controversy surrounding that approach will likely serve as a distraction from what should be our Nation's foremost communications priority: bringing broadband to every corner of America, getting every American online, and providing the high speed connections needed to realize the promises of telemedicine, distance learning, and other forms of consumer empowerment.

The continued deployment and adoption of broadband, the growing importance of the Internet to our constituents, and the significant contributions this will make to our economy should be the FCC's primary focus right now. The uncertainty this proposal creates will jeopardize jobs and deter needed investment for years to come. The significant regulatory impact of reclassifying broadband service is not something that should be taken lightly and should not be done without additional direction from Congress. We urge you not to move

