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WASHINGTON, DC 20001
OPENINTERNETCOALITION.COM

May 6, 2010

Julius Genachowski, Chairman
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *A National Broadband Plan for Our Future*, GN Docket No. 09-51;
Preserving the Open Internet, GN Docket No. 09-191; *Broadband Industry Practices*, WC Docket No. 07-52

Dear Chairman Genachowski:

As Internet and technology companies, we strongly support the deployment of better and faster broadband transmission services as quickly as possible. Broadband serves as the critical “on-ramp” for consumers to access the full richness of the Internet. We applaud the effort by the Federal Communications Commission to develop a plan to bring broadband to all Americans.

Unfortunately, the recent decision in *Comcast v. FCC* has raised serious doubts about the FCC’s ability to implement the National Broadband Plan and other important initiatives using so-called “ancillary” authority under Title I of the Communications Act. Further uncertainty will delay key elements of the National Broadband Plan, and result in America falling further behind other countries in terms of broadband deployment and uptake.

Some have argued that in response to the *Comcast* decision, the FCC should return to old-style telephone regulations to govern the behavior of broadband providers. But a heavy-handed regulatory regime isn’t the right answer either.

Consequently, we applaud the middle ground approach that you have proposed. We share your belief that this course will create a legally sound, light-touch regulatory framework that benefits consumers, technology companies, and broadband Internet access providers.

This framework will ensure that consumers have access to an open Internet, one that would preserve a level playing field for all participants. And it does so without regulating the Internet but only applying basic rules of the road to the transmission services that provide access to the Internet.

We share your goal of ensuring a healthy ecosystem for all—broadband transmission providers, Internet content and application providers, and consumers. We believe that your narrowly tailored approach is a straightforward way to protect consumers, preserve the fundamental openness of the Internet, and promote the deployment of broadband services.

Thank you for your leadership on this crucial issue.

Sincerely,

Amazon.com

DISH Network

eBay, Inc.

EarthLink

Sony Electronics, Inc.

IAC

Skype

XO Communications

Google Inc.

Data Foundry

EchoStar Corporation

Netflix

Sling Media