

ALASKA STATE LEGISLATURE

Session

State Capitol, Rm. 7
Juneau, AK 99801

Interim

1500 W. Benson
Anchorage, AK 99503



December 11, 2017

The Honorable Jahna Lindemuth
Alaska Attorney General
1031 W 4th Avenue, Suite 200
Anchorage, AK 99501

Dear Attorney General Lindemuth,

On December 14, the Federal Communications Commission is set to vote on its November 21 proposal to repeal regulations establishing the nation's broadband policy of net neutrality. We believe the FCC's proposal is bad for Alaskans, and we are asking you to take action on behalf of the people of Alaska to stop this proposal.

The protections net neutrality accords Alaskans should not be so easily extinguished. The FCC's plan would readily permit internet service providers (ISPs) to lawfully discriminate against or charge rates differently among users, websites, content, and other attributes by allowing the ISPs to control the speeds at which internet data is delivered or by restricting or blocking access to certain sites altogether. Like telephone service and electricity, broadband is essential to society and must be regarded as a public utility that is subject to reasonable regulations. Charging more for customers to access certain websites or to experience adequate data delivery speeds; paid-prioritization of some online businesses and content over others; and the likelihood of ISPs conferring preferential treatment to their corporate allies over their competitors results in a pay-to-play system that affronts our tried and cherished principles of equality and fair opportunity. With its proposal, the FCC is knowingly inviting anti-consumer practices and a promise of financial rewards based on discrimination.

We also have grave concerns about the proposal's implications on our First Amendment rights. Free speech is fostered by a neutral net environment that enables the open flow of citizens' thoughts, ideas, and concerns and ensures information that is relied upon to form opinion is accessible. Free speech, free press, and our right of association are all at risk with the FCC's repeal of net neutrality.

The proposal is especially detrimental to Alaskans. Our state's climate and isolation from the Lower 48 means that our people rely heavily on the internet to connect with one another and the Outside, to keep in touch with family, for work, and for education purposes. And our remote communities—many of which already struggle to obtain stable, affordable internet access—appreciate and rely on the principles of net neutrality to maintain connectivity to Alaska's more urban hubs and beyond.

The FCC's proposal seems ill-considered and risks directly hurting vulnerable consumers and offending so many of our fundamental values. But in addition to these inevitable negative consequences, the FCC's public process on this matter has been unacceptably flawed. During the April through August 2017 public comment period, the FCC received an unprecedented 22 million comments. Of those comments, up to one million have already been linked to stolen identities; half a million appear to have been generated from Russian email addresses; 94% appear to have been posted multiple times; 57% came from duplicate or temporary addresses; there were nine instances that 75,000 same or similar comments posted at the exact same second; and the top seven comments made up 38% of the submissions.

A citizen comment process is a necessary aspect of proposing regulation changes. But because the integrity of the public process is in question, the FCC cannot conscionably weigh those submissions into its net neutrality determination. An FCC decision of this magnitude must be achieved through a legitimate and fair process, without fraudulent influences.

In light of our concerns, we ask you to ensure that Alaska takes a strong stance against the FCC's proposal to end net neutrality. First, the FCC must be urged to delay its December 14 vote to allow investigations into fraudulent public comments to proceed to findings before relying on those submissions or assuming the public process was valid. Second, if the FCC proceeds to a vote on December 14 or thereafter, repealing net neutrality, the State of Alaska should sue or join other plaintiffs to overturn the FCC's decision.

Sincerely,



Senator Bill Wielechowski



Senator Tom Begich



Senator Berta Gardner



Representative Harriet Drummond



Representative Andy Josephson



Senator Dennis Egan



Senator Donny Olson



Representative David Guttenberg



Representative Scott Kawasaki

A handwritten signature in black ink that reads "Dan Ortiz". The signature is stylized with a large, looped "D" and a prominent "O".

Representative Dan Ortiz

A handwritten signature in blue ink that reads "Ivy Spohnholz". The signature is written in a cursive style with a large "I" and a prominent "S".

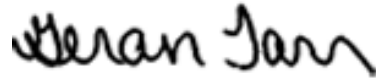
Representative Ivy Spohnholz

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Representative Chris Tuck

A handwritten signature in black ink that reads "Justin Parish". The signature is written in a cursive style with a large "J" and a prominent "P".

Representative Justin Parish

A handwritten signature in black ink that reads "Geran Tarr". The signature is written in a cursive style with a large "G" and a prominent "T".

Representative Geran Tarr