



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
May 27, 2010

NEWS MEDIA CONTACT:
Jen Howard, (202) 418-0506
Email: Jen.Howard@fcc.gov

FCC ANNOUNCES TENTATIVE AGENDA FOR JUNE 17th OPEN MEETING

Washington, D.C. -- Today, Federal Communications Commission Chairman Julius Genachowski announced that the following item will be on the tentative agenda for the next open meeting scheduled for Thursday, June 17, 2010:

Framework for Broadband Internet Service NOI: A Notice of Inquiry to begin an open, public process to consider possible legal frameworks for broadband Internet services in order to promote innovation and investment, protect and empower consumers, and bring the benefits of broadband to all Americans.

Background: Until the recent decision of the U.S. Court of Appeals for the D.C. Circuit in *Comcast Corp. v. FCC*, the Commission's approach to broadband Internet service combined minimal regulation with meaningful agency oversight. The Comcast opinion, however, cast serious doubt on prior understandings about the FCC's ability to ensure fair competition and provide consumers with basic protections when they use today's broadband Internet services. Moreover, nearly a decade has passed since the Commission gathered the record on which the current legal classification of broadband Internet service is based; Congress has recently reaffirmed the FCC's limited-but-vital role with respect to broadband; and the Commission has fulfilled Congress's mandate to develop a National Broadband Plan recommending specific agency actions to encourage deployment and adoption.

In light of these developments, the Notice asks for public comment on questions including:

- i) Whether the Commission's "information service" classification of broadband Internet service remains legally sound and adequate to support effective performance of the Commission's responsibilities;
- ii) The legal and practical consequences of classifying broadband Internet connectivity as a "telecommunications service" to which all the requirements of Title II of the Communications Act would apply; and
- iii) A possible "third way" under which the Commission would reaffirm that the Internet remains unregulated and Internet-based information services remain generally unregulated under Title I of the Communications Act; identify the Internet connectivity service that is offered as part of wired broadband Internet service as a telecommunications service; and forbear under Section 10 of the Act from applying all provisions of Title II other than the small number that are needed to implement fundamental universal service, competition, and consumer protection policies.

The Notice also seeks comment on the appropriate classification of terrestrial wireless and satellite broadband Internet services, as well other issues.

Topics selected for FCC open meeting agendas will be posted on the Commission's website approximately three weeks prior to the Commission's next monthly meeting. The Commission will also issue a public notice of the "Commission Meeting Agenda" one week before the meeting and announce at that time the items that are scheduled for the agenda.

--FCC--