



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

March 26, 2015

The Honorable Niki Tsongas  
U.S. House of Representatives  
1607 Longworth House Office Building  
Washington, D.C. 20515

Dear Congresswoman Tsongas:

Thank you for your letters of December 15, 2014, December 18, 2014 and February 3, 2015 expressing support for strong Open Internet rules grounded in our authority under Title II of the Communications Act. You also expressed specific concern regarding the need for platform parity between fixed and mobile connections, owing the significant role mobile services play in providing Internet access across the digital divide. I appreciate hearing your views, and your letter will be included in the record.

Over the past year, I have come to believe that there are three simple keys to our broadband future. Our broadband networks must be fast; our broadband networks must be fair; and our broadband networks must be open. On February 26, 2015, the Federal Communications Commission (FCC) voted to approve new rules designed to preserve the Internet as an open platform for innovation, investment, and free expression. Utilizing the combined authority of Title II of the Communications Act and Section 706 of the Telecommunications Act, these rules are rooted in long-standing regulatory principles, marketplace experience, and public input received over the last year. This Order represents the most open rulemaking in history and is based on months of listening to the views of policymakers outside the Commission, industry and public interest representatives, and millions of American consumers from all walks of life.

Based on the input of all these stakeholders, the FCC adopted the strongest possible open Internet protections. Specifically, we established bright-line rules banning paid prioritization, blocking, and throttling of legal content, along with a general conduct rule that can be used to stop new and novel threats to the Internet as they develop. Importantly, and consistent with the approach you support in your letter, these rules apply to both fixed and mobile broadband Internet access services. For the first time, mobile connections will be subject to the same bright-line bans on paid prioritization, blocking, and throttling, that apply to fixed broadband services. The approach we take in this Order provides clear rules of the road for all stakeholders, while ensuring there is also a referee in place to keep things fair in the future.

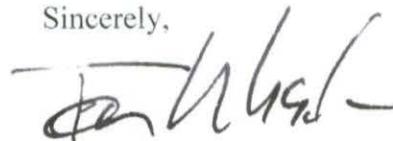
Strong rules need to be grounded in strong authority, and these rules are grounded in the strongest authority the FCC can utilize: a modernized application of Title II of the Communications Act, combined with Section 706 of the Telecommunications Act. I refer to this application of Title II as "modernized" because we have used the forbearance authority granted to us by Congress to ensure that we are not applying unreasonable conditions to these modern networks. In particular, the Order forbears from 27 provisions of Title II and more than 700 FCC rules and regulations. This forbearance is targeted to avoid major issues like rate regulation,

tariffing, and network unbundling, which would not be appropriate for the broadband Internet access industry, and is designed to preserve incentives for continued investment in broadband networks.

The FCC's new rules, grounded in strong Title II authority and applied to both fixed and mobile connections, carry the support of millions of Americans, and are poised to keep the Internet open and free for consumers and innovators for years to come.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler", with a long horizontal flourish extending to the right.

Tom Wheeler