



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 7, 2020

The Honorable Kamala D. Harris
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

Dear Senator Harris:

Thank you for your letter regarding the Commission's response to the *Mozilla Corp. v. FCC* decision, in which the U.S. Court of Appeals for the D.C. Circuit upheld the overwhelming majority of the Commission's *Restoring Internet Freedom Order*, including the Commission's decision to repeal 1930s utility-style regulation of the Internet. Contrary to the predictions that this decision marked "the end of the Internet as we know it" and that "you'll get the Internet one word at a time," consumers are much better off today. In the 875 days since the Commission decided to return to the light-touch framework over two years ago, American broadband consumers are enjoying over 70% faster speeds and millions more Americans have gained access to the Internet.

The Court remanded to the Commission three discrete issues for further consideration. Immediately after the Court issued its mandate in February, the Wireline Competition Bureau sought to refresh the record regarding how the *Restoring Internet Freedom Order* might affect public safety, the regulation of pole attachments, and the Lifeline program. At that time, the Bureau provided more than a month for parties to file comments and then another month for them to file reply comments. However, on March 25, in response to a request from certain stakeholders, including the County of Santa Clara and City of Los Angeles, the Bureau extended these initial deadlines by a full three weeks in light of the COVID-19 pandemic. As a result, parties were provided over two months to file comments, which were due April 20, and reply comments are now due May 20.

As your letter indicates, on April 16, the County of Santa Clara, City of Los Angeles, and other parties asked the Commission for another sixty-day extension of the comment deadline. Longstanding Commission rules, however, provide that parties shall file such extension requests at least seven days before the filing deadline. And in this case, the request was only filed four days ahead of the deadline. Moreover, given that the County of Santa Clara and City of Los Angeles were able to comply with this filing deadline in their first extension request, there is no reason to believe that they were unable to do so with respect to their second extension request. Indeed, as the Bureau noted, it is not plausible that they became aware of any need to extend the deadline fewer than seven days before the deadline for filing comments.

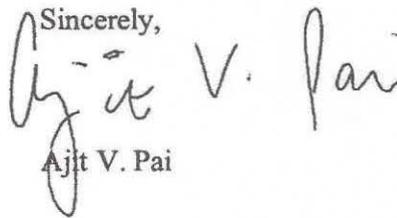
As the County of Santa Clara and City of Los Angeles acknowledged in its first extension request, "the Commission has a duty to conduct its remand proceedings in an expeditious

manner.” Therefore, in light of this and the facts recounted above, I do not intend to disturb the Bureau’s decision regarding the second extension request.

The Commission has received a voluminous record thus far in response to the Public Notice, and we look forward to receiving reply comments in the near future. I encourage all parties to submit comments into the record as soon as they are able, and Commission staff will review all submitted views as they develop recommendations for the full Commission’s consideration.

Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is written in a cursive style with a large initial "A" and a distinct "V".

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 7, 2020

The Honorable Kirsten Gillibrand
United States Senate
478 Russell Senate Office Building
Washington, DC 20510

Dear Senator Gillibrand:

Thank you for your letter regarding the Commission's response to the *Mozilla Corp. v. FCC* decision, in which the U.S. Court of Appeals for the D.C. Circuit upheld the overwhelming majority of the Commission's *Restoring Internet Freedom Order*, including the Commission's decision to repeal 1930s utility-style regulation of the Internet. Contrary to the predictions that this decision marked "the end of the Internet as we know it" and that "you'll get the Internet one word at a time," consumers are much better off today. In the 875 days since the Commission decided to return to the light-touch framework over two years ago, American broadband consumers are enjoying over 70% faster speeds and millions more Americans have gained access to the Internet.

The Court remanded to the Commission three discrete issues for further consideration. Immediately after the Court issued its mandate in February, the Wireline Competition Bureau sought to refresh the record regarding how the *Restoring Internet Freedom Order* might affect public safety, the regulation of pole attachments, and the Lifeline program. At that time, the Bureau provided more than a month for parties to file comments and then another month for them to file reply comments. However, on March 25, in response to a request from certain stakeholders, including the County of Santa Clara and City of Los Angeles, the Bureau extended these initial deadlines by a full three weeks in light of the COVID-19 pandemic. As a result, parties were provided over two months to file comments, which were due April 20, and reply comments are now due May 20.

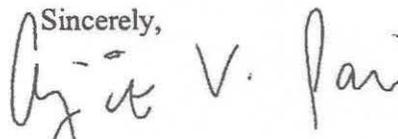
As your letter indicates, on April 16, the County of Santa Clara, City of Los Angeles, and other parties asked the Commission for another sixty-day extension of the comment deadline. Longstanding Commission rules, however, provide that parties shall file such extension requests at least seven days before the filing deadline. And in this case, the request was only filed four days ahead of the deadline. Moreover, given that the County of Santa Clara and City of Los Angeles were able to comply with this filing deadline in their first extension request, there is no reason to believe that they were unable to do so with respect to their second extension request. Indeed, as the Bureau noted, it is not plausible that they became aware of any need to extend the deadline fewer than seven days before the deadline for filing comments.

As the County of Santa Clara and City of Los Angeles acknowledged in its first extension request, "the Commission has a duty to conduct its remand proceedings in an expeditious

manner.” Therefore, in light of this and the facts recounted above, I do not intend to disturb the Bureau’s decision regarding the second extension request.

The Commission has received a voluminous record thus far in response to the Public Notice, and we look forward to receiving reply comments in the near future. I encourage all parties to submit comments into the record as soon as they are able, and Commission staff will review all submitted views as they develop recommendations for the full Commission’s consideration.

Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 7, 2020

The Honorable Charles E. Schumer
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

Dear Senator Schumer:

Thank you for your letter regarding the Commission's response to the *Mozilla Corp. v. FCC* decision, in which the U.S. Court of Appeals for the D.C. Circuit upheld the overwhelming majority of the Commission's *Restoring Internet Freedom Order*, including the Commission's decision to repeal 1930s utility-style regulation of the Internet. Contrary to the predictions that this decision marked "the end of the Internet as we know it" and that "you'll get the Internet one word at a time," consumers are much better off today. In the 875 days since the Commission decided to return to the light-touch framework over two years ago, American broadband consumers are enjoying over 70% faster speeds and millions more Americans have gained access to the Internet.

The Court remanded to the Commission three discrete issues for further consideration. Immediately after the Court issued its mandate in February, the Wireline Competition Bureau sought to refresh the record regarding how the *Restoring Internet Freedom Order* might affect public safety, the regulation of pole attachments, and the Lifeline program. At that time, the Bureau provided more than a month for parties to file comments and then another month for them to file reply comments. However, on March 25, in response to a request from certain stakeholders, including the County of Santa Clara and City of Los Angeles, the Bureau extended these initial deadlines by a full three weeks in light of the COVID-19 pandemic. As a result, parties were provided over two months to file comments, which were due April 20, and reply comments are now due May 20.

As your letter indicates, on April 16, the County of Santa Clara, City of Los Angeles, and other parties asked the Commission for another sixty-day extension of the comment deadline. Longstanding Commission rules, however, provide that parties shall file such extension requests at least seven days before the filing deadline. And in this case, the request was only filed four days ahead of the deadline. Moreover, given that the County of Santa Clara and City of Los Angeles were able to comply with this filing deadline in their first extension request, there is no reason to believe that they were unable to do so with respect to their second extension request. Indeed, as the Bureau noted, it is not plausible that they became aware of any need to extend the deadline fewer than seven days before the deadline for filing comments.

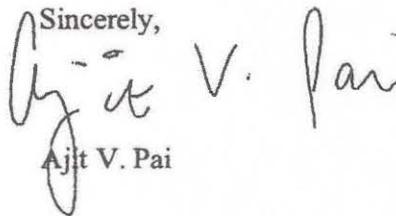
As the County of Santa Clara and City of Los Angeles acknowledged in its first extension request, "the Commission has a duty to conduct its remand proceedings in an expeditious

manner.” Therefore, in light of this and the facts recounted above, I do not intend to disturb the Bureau’s decision regarding the second extension request.

The Commission has received a voluminous record thus far in response to the Public Notice, and we look forward to receiving reply comments in the near future. I encourage all parties to submit comments into the record as soon as they are able, and Commission staff will review all submitted views as they develop recommendations for the full Commission’s consideration.

Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 7, 2020

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

Dear Senator Feinstein:

Thank you for your letter regarding the Commission's response to the *Mozilla Corp. v. FCC* decision, in which the U.S. Court of Appeals for the D.C. Circuit upheld the overwhelming majority of the Commission's *Restoring Internet Freedom Order*, including the Commission's decision to repeal 1930s utility-style regulation of the Internet. Contrary to the predictions that this decision marked "the end of the Internet as we know it" and that "you'll get the Internet one word at a time," consumers are much better off today. In the 875 days since the Commission decided to return to the light-touch framework over two years ago, American broadband consumers are enjoying over 70% faster speeds and millions more Americans have gained access to the Internet.

The Court remanded to the Commission three discrete issues for further consideration. Immediately after the Court issued its mandate in February, the Wireline Competition Bureau sought to refresh the record regarding how the *Restoring Internet Freedom Order* might affect public safety, the regulation of pole attachments, and the Lifeline program. At that time, the Bureau provided more than a month for parties to file comments and then another month for them to file reply comments. However, on March 25, in response to a request from certain stakeholders, including the County of Santa Clara and City of Los Angeles, the Bureau extended these initial deadlines by a full three weeks in light of the COVID-19 pandemic. As a result, parties were provided over two months to file comments, which were due April 20, and reply comments are now due May 20.

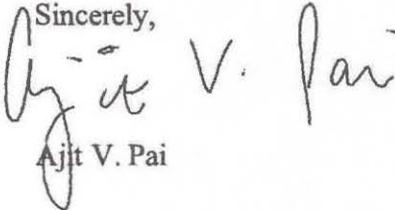
As your letter indicates, on April 16, the County of Santa Clara, City of Los Angeles, and other parties asked the Commission for another sixty-day extension of the comment deadline. Longstanding Commission rules, however, provide that parties shall file such extension requests at least seven days before the filing deadline. And in this case, the request was only filed four days ahead of the deadline. Moreover, given that the County of Santa Clara and City of Los Angeles were able to comply with this filing deadline in their first extension request, there is no reason to believe that they were unable to do so with respect to their second extension request. Indeed, as the Bureau noted, it is not plausible that they became aware of any need to extend the deadline fewer than seven days before the deadline for filing comments.

As the County of Santa Clara and City of Los Angeles acknowledged in its first extension request, "the Commission has a duty to conduct its remand proceedings in an expeditious

manner.” Therefore, in light of this and the facts recounted above, I do not intend to disturb the Bureau’s decision regarding the second extension request.

The Commission has received a voluminous record thus far in response to the Public Notice, and we look forward to receiving reply comments in the near future. I encourage all parties to submit comments into the record as soon as they are able, and Commission staff will review all submitted views as they develop recommendations for the full Commission’s consideration.

Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai