

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *In the Matter of Preserving the Open Internet*, GN Docket No. 09-191; *Broadband Industry Practices*, WC Docket No. 07-52

Many years ago – long before the Internet became what it is today – I owned and operated a small business in Charleston, South Carolina. That business – a weekly newspaper called *The Coastal Times* – primarily focused on issues affecting the African-American community. As a small business owner, I participated in every aspect of the newspaper. I wrote and edited articles. I sold advertising. I hired and managed employees. No task was too big or too small. Building *The Coastal Times* from the ground up was a painstaking process, but a labor of love.

There was one underlying reality I could not escape, however. No matter what I did – no matter how many hours I put in or what kind of product I produced – I could never achieve an equal footing with the region’s larger media outlets. The costs of entry were far too great. As one small example, while the traditional newspapers could afford their established distribution networks to deliver their product, my “distribution network” was me and my 1992 GMC Jimmy.

In the end, the cost of doing business for a smaller outfit like mine proved to be insurmountable. So after 14 years of sweat, tears and some . . . well you get the picture, *The Coastal Times* newspaper published its final issue, and a voice in an underrepresented community fell silent.

I offer this personal story because the substance of this proceeding reminds me of my challenges in running *The Coastal Times*. I cannot help but wonder . . . what if I had a web site – let’s call it “thecoastaltimes.com” – and how would that have changed the outcome? One thing is certain – my distribution challenge would have been greatly diminished. All things considered, on-line the publication’s success or failure would have been far more likely to be determined by the quality of the product, rather than how well capitalized it was.

This web-based scenario assumes, however – as does every Internet success story out there today – an open platform. Because if my larger competitors were simply able to buy their way ahead of my small publication – if my content were delivered at inferior speeds and/or quality – then thecoastaltimes.com would simply be an on-line version of my old GMC Jimmy with its three hundred-plus thousand miles.

An open Internet is, perhaps as much as anything else, “the great equalizer.” It allows people with innovative ideas to succeed on the merit of those ideas. It also provides a voice to those who often are not afforded one. Smaller businesses can compete despite not being firmly established or well financed on day one. The quality of the product or opinion stands for itself, and consumers are the ultimate arbiters of which businesses thrive at the end of the day.

To me, that is what this proceeding is all about: preventing barriers to entry and ensuring that Americans have access to the best and most useful information and services. And that is why I am pleased to support this item. I believe that preserving an open Internet is essential, not only to safeguard everything that the Internet does for us today, but also to help address current challenges, such as the digital divide.

I would be remiss if I did not take a moment to address the process going forward. First, I applaud the Chairman for his thoughtful and open approach to this issue. After working closely with each of our offices, and after listening to some of the constructive feedback offered by outside parties, the

Chairman and his staff made some important changes that have significantly strengthened the Notice. This process has brought us closer to developing open Internet rules that will foster innovation and investment, promote competition, and most importantly, protect consumers.

Second, I want to emphasize that I am eager to see a thoughtful, rational, and respectful record in this proceeding. Our field has so many talented people with great minds who can help us make this undertaking a success. As we have recently seen, collaboration among disparate parties is certainly possible.

Unfortunately, some parties seem to prefer radioactive rhetoric and unseemly and unbecoming tactics. Such an approach may yield headlines, but will not yield positive results with me.

So let us permit our better selves to emerge during this process. Together, we can develop clear and reasonable rules of the road for industry, and ensure that we have a robust Internet that continues to drive the economy and provide countless benefits for the American consumer. For my part, I pledge to look at the record with an open mind, and to treat each submission with the seriousness it deserves. I am looking forward to an honest, open, and direct exchange to make sure we get this proceeding right.

I would like to thank the staff for their truly excellent work on this item. I look forward to working with them, and with my fellow Commissioners, as we proceed toward final rules to preserve an open Internet and solidify the foundation for economic prosperity in the days ahead.