

**CONCURRING STATEMENT OF
COMMISSIONER MEREDITH A. BAKER**

Re: *National Association of Regulatory Utility Commissioners Petition for Clarification or Declaratory Ruling that No FCC Order or Rule Limits State Authority to Collect Broadband Data*, WC Docket No. 09-193

I concur with today's decision. I agree with the narrow legal conclusion of this order but I have grave concerns about the negative impact of possible inconsistent and burdensome state data reporting requirements on providers' incentives for investment and innovation in broadband Internet access services. As the order notes, the Commission may—and in my judgment, should aggressively—preempt state regulations that conflict with federal policy, specifically our successful long-standing light-touch regulatory approach to the Internet. That said, I am happy that the Commission will be moving forward with broadband mapping efforts because that is a critical step toward ensuring that all Americans have access to broadband capability.