



**WRITERS  
GUILD OF  
AMERICA, WEST**

July 12, 2017

**By ECFS**

The Honorable Ajit Pai, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

*Re: In the Matter of Restoring Internet Freedom, WC Docket No. 17-108*

Dear Chairman Pai:

In 2014, more than 200 showrunners and creators of television and online video series sent a letter to your predecessor, Chairman Wheeler, in support of the open Internet. Today we do so again because of the continued importance of strong, legally-enforceable open Internet rules based on Title II of the Communications Act.

The FCC's 2015 rules were designed to secure a free and open Internet. These rules, which have since been upheld by the D.C. Circuit Court, preserve the Internet as an open communications platform where consumers decide what content and information they wish to access. By instituting rules that prohibit blocking, throttling, paid prioritization and other discriminatory conduct, the FCC has promoted free speech, competition and innovation online.

The benefits of an open Internet are beyond dispute. It has become an essential tool in participatory democracy. It has fostered competition across all sectors of our economy, stimulating the investment of billions of dollars in new content, services and applications. Consumer demand, particularly for online video content, has fueled investment in faster wired and wireless networks.

The open Internet has been critically important for content creators. Decades of media consolidation have resulted in a handful of companies controlling what stories are told on television. By lowering barriers to entry and permitting content to bypass media's traditional gatekeepers, the open Internet has loosened this stranglehold. There are now new buyers for what we as writers create. In 2017 alone, upwards of 100 original series created and written by Guild members will be released online. For viewers, the result is a new Golden Age of programming.

The open Internet, however, will not continue to thrive without enforceable rules. Already, a handful of Internet service providers (ISPs) dominate the broadband market, often leaving consumers with no choice for high-speed Internet service. Without rules governing their business practices, these ISPs will have the power to stifle the free market in ways that benefit their

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bottom lines but not the broader economy or society. The threat is hardly hypothetical: prior to the adoption of the 2015 rules, we know that Comcast, Time Warner Cable, Verizon and AT&T all degraded Netflix traffic even though their customers had paid to access the content. The likelihood of further anticompetitive behavior has only increased as more consumers choose online video services that compete with the traditional offerings of cable operators. For consumers the result of monopolistic behavior, unrestrained by sensible regulation, will be higher prices and fewer choices.

The 2015 rules provided a common sense and legally viable framework for ensuring an open Internet. We strongly oppose the proposal to reclassify broadband Internet as an information service, which will ultimately doom these regulatory efforts. The Commission made the right decision in 2015, and it must not retreat now.

Sincerely,

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Cc: The Honorable Mignon Clyburn, Commissioner  
The Honorable Michael O’Rielly, Commissioner  
The Honorable Mitch McConnell, Senate Majority Leader  
The Honorable Charles E. Schumer, Senate Minority Leader  
The Honorable Paul Ryan, Speaker, U.S. House of Representatives  
The Honorable Nancy Pelosi, Democratic Leader, U.S. House of Representatives