



July 24, 2018

The Honorable Robert A. DeLeo
Speaker of the House
24 Beacon St.
Room 356
Boston, MA 02133

Dear Speaker DeLeo:

On behalf of CTIA, the trade association for the wireless communications industry, I write in opposition to Senate Bill 2610 dealing with net neutrality. This legislation is unnecessary as strong consumer protections are in place today to ensure the internet remains open and consumer privacy is protected. **Recent federal action also clearly preempts states from enacting net neutrality laws.**

The wireless industry supports an open internet. National wireless providers have committed to not blocking or throttling lawful content. In addition, CTIA supports a bipartisan federal legislative solution to address the issue of net neutrality. However, we oppose state legislation like S.2610 as it is unnecessary and unworkable. Massachusetts consumers are already well protected against anti-competitive or anti-consumer internet practices by the Federal Communications Commission (FCC), the Federal Trade Commission, federal antitrust law, and – importantly – existing Massachusetts state law. On the other hand, state-specific net neutrality rules imposed on broadband providers would harm consumers, and would – along with other state and local mandates – create a complex “patchwork quilt” of requirements that would be unlawful and thus preempted.

The FCC's recent order explains that broadband internet access is an inherently interstate and global offering. This finding was also supported by President Obama's FCC, which said it would preempt state action in this area. State-by-state regulation raises the prospect that different laws will apply as a consumer moves between states. For example, a mobile broadband consumer could travel through multiple states subjecting that consumer's service to multiple different legal regimes with potentially disruptive impacts even if the consumer spent that trip watching a single movie on a single mobile device. Such a patchwork quilt of disparate regulation is untenable for the



future success of the internet economy, especially one that is increasingly reliant on and distinguished by its very mobility.

For these reasons, the FCC preempted state regulation of broadband service, including state laws, like S.2610, that purport to impose net neutrality requirements through the state's procurement process. In view of the commitments of the wireless industry, the consumer protection mechanisms of state and federal law, and the express preemption of state net neutrality laws, we respectfully ask that you not pass S.2610. Thank you for your consideration.

Sincerely,

Gerard Keegan
Assistant Vice President
State Legislative Affairs