



AMERICAN
SUSTAINABLE
BUSINESS
COUNCIL

April 11, 2018

The Honorable Ben Hueso
Chair, Senate Energy, Utilities and Communications Committee
State Capitol, Room 4035
Sacramento, CA 95814

RE: Support for SB 822 (Wiener) As Amended on March 13, 2018

Dear Senator Hueso,

On behalf of [the undersigned], I write in support of Senate Bill 822 by Senator Scott Wiener. On December 14, 2017, the Federal Communications Commission (FCC) voted to abolish net neutrality protections, reversing not just the 2015 Order enacted under President Obama but also the FCC's long-standing, bi-partisan dedication to protecting an open internet for free speech, entrepreneurship and small businesses alike.

Net neutrality refers to the principle that Americans and the greater business community, not the companies we pay to get online like AT&T and Comcast, get to decide what applications, content and services we use and access, and that the open internet thrives when Americans and the greater business community, not ISPs, decide what companies are winners and losers online.

We are a group of businesses empowered by unencumbered access to an open Internet. We are deeply concerned that the Federal Communications Commission's 2017 Order to abolish net neutrality will soon go into effect, leaving Californians and California businesses unprotected. That's why we need the State of California to step in to shield us and therefore we fully support the efforts of SB 822 to fully restore the 2015 net neutrality protections for California businesses and residents.

Today, broadband is vital to American enterprise; connectivity is absolutely essential to businesses. We need strong, enforceable legal protections to ensure that Internet Service Providers (ISPs) cannot discriminate against websites, services, and apps, or impose new fees that harm small businesses. The open Internet has made it possible for us to rely on a free market where each of us has the chance to bring our best business ideas to the world without interference or seeking permission from any gatekeeper first. Moreover, our businesses increasingly rely on a wide range of online services that compete and innovate to power our sales, marketing, inventory management, human resources, accounting, internal communications, and more.

This has been possible because the principle of net neutrality -- which the FCC has actively protected for decades -- ensures that everyone has unimpeded access to the Internet and services on the Internet. While only a small handful of companies sell Internet access, nearly all companies in California buy it -- including ours. The rollback of the 2015 net neutrality protections would be disastrous for the country's

business community, and SB 822 comprehensively reinstates those protections for all Californians and California businesses.

Without SB 822, Internet providers would gain new powers to steer businesses and customers one way or another. For example, our customers' Internet access providers could charge us new fees for the right to get to our customers, or for prioritized access to our customers. While big companies might be able to afford a pay-to-play prioritized 'fast lane' to users, small and medium-sized enterprises like ours cannot; at the very least, such new fees would put us at a distinct disadvantage with larger competitors. Internet access providers could also charge our customers new fees for access to our websites and services. And they could favor our competitors by slowing down our traffic or exempting our competitors' traffic from users' data caps, or they could block websites and apps outright. Compounding this danger, ISPs could do the same to all of the online services that we rely on such as payroll and HR software, as well, causing a rise in prices for these services and fewer startups offering these services. All of these practices would raise costs across every sector of the economy and create immense uncertainty for companies that rely on open, unencumbered connectivity as a key enabler for their business and productivity.

We urge you to support, in full, SB 822's codification of all the net neutrality protections in the 2015 order. This codification includes brightline bans on blocking of websites, services and applications; slowing down or speeding up sites; and charging "access fees" to online companies simply so their sites and services will load for that ISP's customers or for fast lanes to those customers. The bill also rightly incorporates the 2015 order's ban on circumventing such protections at the point of interconnection, and prevents unfair kinds of zero-rating.

Both of these are known loopholes that were addressed by the 2015 order in response to anti-net neutrality behavior by ISPs. For instance, in 2013 through 2014, Comcast, Verizon and Time-Warner refused to upgrade their interconnection points with the backbone provider Cogent. The ISPs were trying to force Cogent, which handles traffic for thousands of businesses, schools and online services, to pay a ransom to deliver the traffic those ISPs' subscribers had requested.

As a result of that behind-the-scenes showdown, millions of customers and businesses became collateral damage, experiencing unexplained delays and time-outs. For example, a school district couldn't upload their payroll data; remote hospital workers who couldn't reliably do their jobs; and an investment bank's remote workers couldn't connect to their company's network

We therefore urge you to support SB 822, which protects our businesses from interference from ISPs and allows us to focus on what citizens, lawmakers and our companies all want us to do, innovating to grow our businesses and the economy.

Thank you for considering our views.

We wholeheartedly support SB 822.

Sincerely,

Thinkshift Communications
Pacific Community Solutions, Inc.
Constituent Records
dsherman.design

Milked Media
Iam Bloom
Silver Lining Unlimited
Patty's Cakes and Desserts

Goodlight Natural Candles
Kahl Consultants
inNative
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TWB & Associates, INC.
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Corporate Host Services
Words 2 Wow Life Science Marketing
Logical Computer Solutions
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