



April 25, 2006

The Honorable Joe Barton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable John Dingell
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Barton and Ranking Member Dingell:

As you prepare to markup the “Communications Opportunity, Promotion, and Enhancement Act of 2006,” TeleCONSENSUS—a broad-based coalition of trade associations, chambers of commerce, telecommunications providers and equipment manufacturers, businesses and consumers—urges you to reject any “net neutrality” language in the bill.

On April 5, 2006, the Telecommunications and Internet Subcommittee reported out a version of the bill that strengthened language on “net neutrality.” These provisions are unnecessary and have the potential to stifle new investment in broadband network infrastructure, stall the introduction of innovative technologies, and hinder consumer choice.

First, TeleCONSENSUS opposes any attempt to place economic regulations on new technology. Legislating “net neutrality” would, for the first time, impose this type of regulation on the Internet. Telecommunications markets should be driven by consumer demand, advances in technology, and competition between telecommunications companies, not by government regulation. Indeed, the intense competition between cable operators, phone companies, and others for broadband customers requires providers to quickly respond to market developments and offer differentiated services to attract business. The various pricing plans offered to broadband subscribers today are but one example of this phenomenon.

Second, anticipatory regulation must be rejected. The FCC’s net neutrality principles are working. The principles state that consumers are entitled to access their choice of lawful Internet content and connect their choice of legal devices that do not harm the network. There is no evidence that network providers plan to interfere with traffic from competing providers or slow down the service of some sites in favor of others. Moreover, bad actors can and will be punished by the market, and in many cases, the FCC.

Telecommunications companies are building broadband networks throughout the United States, and applications and content are being developed for these networks. U.S. broadband penetration rates are rising, and as of February 2006, 68% of U.S. households with Internet access subscribed to broadband, up from 53.4% in February 2005. Now is not the time to introduce rules that would inflict regulatory uncertainty, stifle investment, slow the development of new technologies, and inhibit U.S. economic development and competitiveness.

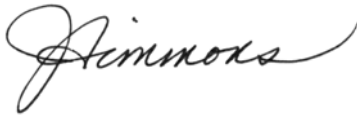
Formed by the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Black Chamber of Commerce, TeleCONSENSUS and its members are committed to a nationwide campaign to educate policymakers, the business community, and the public about the importance of telecommunications and broadband-enabled services to the U.S. economy.

Thank you in advance for considering these comments. TeleCONSENSUS looks forward to continuing to work with you and the Committee as the legislation goes forward.

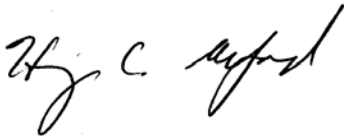
Sincerely,



R. Bruce Josten
Executive Vice President
U.S. Chamber of Commerce



Jay Timmons
Senior Vice President, Policy and Government Relations
National Association of Manufacturers



Harry Alford
President and Chief Executive Officer
National Black Chamber of Commerce

cc: U.S. House of Representatives Committee on Energy and Commerce