

From the desk of : Rep. Greg Barreto



# VOTE NO on HB 4155A



On behalf of the broad technology industry and our retail partners and utilizers, we urge your NO vote on HB 4155A. This is a procurement bill that will potentially threaten the ability of the state to contract with Internet Service Providers, potentially interrupt state services to Oregonians and invite costly lawsuits against the state. Consumers benefit by keeping a single, uniform set of obligations governing broadband data and the open internet. We respectfully urge you not to adopt new state contracting requirements that do little but limit the state's ability to choose from a broad range of service providers. HB 4155A opens the door to the creation of a patchwork of state regulations, expressly prohibited by the FCC, and gives broad authority to the PUC, a body that has admitted they do not have the expertise to perform the functions being asked of them.



We acknowledge with the recent actions at the federal level, you may have concerns regarding consumers' access to an open internet. First and foremost, we continue to support an open internet where companies do not block, throttle, or otherwise interfere with the customers' ability to access the content of their choosing from the device of their choosing. We believe these standards should apply, regardless of the type of Internet Company providing the services. Most companies have already publicly committed to net neutrality principles, and have advertised that fact to their consumers and the public. Because of this, they are bound to that commitment to abide by net neutrality provisions. A new state law is not necessary.



Rushing, especially in a short session, to implement new, onerous regulations is not in the best overall interest of Oregonians and potentially puts the state at risk for costly litigation. The measure, as amended, has not been fully vetted, and the potential for unintended consequences is high, especially given how complicated the issues are and the protracted time frame we face. The likelihood of unique, diverse and varying rules among states on these issues, is a formula for confusion for both providers and the public. Uncertainty in the internet environment could create inconsistency in the internet experiences for customers in different states and could result in unintended access issues and a hesitancy toward innovations. We support a bipartisan approach to Federal legislation that will address any state concerns and ensure a balanced outcome for all stakeholders. There are no known issues that currently exist to justify this legislation.



Additionally, HB 4155A gives the Oregon Public Utility Commission unprecedented regulatory authority over the internet. Despite that new authority, there was never any testimony from the PUC and the fiscal impact statement was removed with the caveat that the PUC would ask the next legislature for additional funding if, and we believe when, it is needed. The full cost has not been explored, explained, or even thought through. And the implications for state services have not been discussed or considered.



Understandably, states want to ensure an open internet for consumers, but even under FCC Chairman Wheeler, the FCC preempted state regulation of broadband in the 2015 Open Internet Order. We believe you will see that the internet experience of customers will not be dramatically altered by the new order. The internet has been jurisdictionally interstate since its beginning, and we believe it should continue to operate only under federal regulation as outlined in the current order, which broadly preempts states from regulating the internet.



EAGLE TELEPHONE SYSTEM



## PLEASE JOIN US IN VOTING NO ON HB 4155A.



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