July 12, 2017

By ECFS

The Honorable Ajit Pai, Chairman
Federal Communications Commission
445 12th 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...
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,

Mike Alber  Chris Alberghini  Jesse Alexander  Scott Alexander  David Anaxagoras
KP Anderson  Dave Andron  Nick Antosca  Judd Apatow  Rich Appel  Jim Armogida
Steve Armogida  Scot Armstrong  Michelle Ashford  Jeff Astrof  Neal Baer  Byron Balasco
Rene Balcer  Hunt Baldwin  Carol Barbee  Mike Barker  Alfredo Barrios  Janine Sherman Barrios
John D. Beck  Jeffrey Bell  Dan Berendsen  Amy Berg  Gretchen J. Berg
Ian Biederman  Kenneth Biller  Rachel Bloom  Andy Bobrow  Leslie Bohem
Max Borenstein  Rob Bragin  Chris Brancato  Bradley Bredeweg  Corinne Brinkerhoff
Kristofor Brown  William Broyles  Dan Bucatinsky  Scott Buck  Devin Bunje
Jack Burbitt  Jeff Bushell  Trey Callaway  Dana Calvo  Frank Cardea
Erin Cardillo  Glenn Caron  Bridget Carpenter  Patti Carr  Jeremy Carver
Chris Case  Daniel Cerone  Natalie Chaidez  Ilene Chaiken  Andrew Chambliss
Dave Chernin  John Chernin  Mike Chessler  Daniel Chun  Cris Cole
Jonathan Collier  Jill Condon  Adam Conover  John F. Coveny  Carter Covington
Hunter Covington  Charlie Craig  David Cross  Sean E. Crouch  Mark Cullen
Robb Cullen  Alexandra Cunningham  Sean Cunningham  Carlton Cuse  Bob Daily
Jeff Davis  Ed Decter  Robert Doherty  Tom Donaghy  Tim Doyle
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Kerry Ehrin
Lee Eisenberg
John Eisendrath
Owen Ellickson
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Emily Fox
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Victor Fresco
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Ira Ungerleider  Matt Weitzman  Lon Zimmet
Christopher Vane  John Wells  John Zinman
Pam Veasey  Ben Wexler  David Zuckerman
Mark Verheiden  Emily Whitesell
Todd Waldman  Vaun Wilmott

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