



June 15, 2017

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment
WC Docket No. 17-84

Dear Secretary Dortch:

The undersigned organizations, which represent national and regional civil rights, professional, intergovernmental, and community-based organizations (collectively, “Broadband Access Supporters”), and represent tens of thousands of constituents, are concerned about efforts to circumvent the Internet Tax Freedom Act (ITFA) – legislation passed by Congress in 1998, and made permanent in 2016.

ITFA bans states and localities from taxing the Internet and applying multiple or discriminatory taxes on consumers’ broadband service. The Broadband Access Supporters advocated for the permanent passage of ITFA because it plays a critical role in helping to keep the cost of Internet access affordable and protects consumers from paying state and local taxes on their Internet access services. Today, the Broadband Access Supporters are concerned by the actions of municipalities within the state of Oregon and efforts to apply new local broadband fees and taxes to Internet Service Providers that are passed through to consumers.

Specifically, the Oregon Supreme Court has given Eugene the right to charge a 7% fee on Internet service provided over cable networks, treating it as a license fee for companies rather than an outright tax on constituents. In effect, however, this new 7% broadband fee is merely passed through directly to consumers. As a result, several other municipalities in Oregon now view broadband fees as a way to raise revenues and have followed Eugene's footsteps by imposing duplicative fees and taxes on broadband access. Other states and municipalities are sure to follow.

When the cost of broadband services increase, low-income individuals and families are the first to feel the financial burden. This in turn impacts adoption and the ability of families to participate in a digital economy. The Oregon law requires families to directly shoulder the cost of broadband.

We strongly support policies like ITFA to help close the digital divide, improve quality of life, and create pathways to first-class digital citizenship for low-income, veteran, senior, multicultural, and disabled consumers. Unfortunately, state and local efforts to circumvent ITFA are in direct opposition to Congressional intent to promote broadband adoption. These efforts disrupt progress toward increasing broadband access, infrastructure investment, and network deployment.

The Federal Communications Commission is wise to seek comment on fees that harm adoption and deployment of broadband, and we implore the Commission to ban fees like those imposed by Eugene. ITFA was established to protect consumers from expensive broadband access fees or taxes. The FCC must

use its platform to support ITFA policy, as it will result in a tremendous public interest benefit in ensuring that every American has affordable access to the digital economy.

Respectfully,

Multicultural Media, Telecom and Internet Council (MMTC)
League of United Latin American Citizens (LULAC)
Hispanic Technology and Telecommunications Partnership (HTTP)
National Black Caucus of State Legislators (NBCSL)
National Foundation for Women Legislators (NFWL)
National Organization of Black Elected Legislative Women (NOBEL Women)
National Organization of Black County Officials (NOBCO)
National Association of Black County Officials (NABCO)

cc: Chairman Ajit Pai
Commissioner Mignon Clyburn
Commissioner Michael O’Rielly