

***Resolution Calling for Congressional Action on the Open Internet***

**WHEREAS**, The National Association of Regulatory Utility Commissioners (NARUC) has a long history of supporting openness of the Internet as evidenced by resolutions adopted in November 2002, February 2010, and July 2014, and by NARUC's 2013 Federalism Task Force Report; *and*

**WHEREAS**, These resolutions support the right of all Internet users, including broadband wireline, wireless, cable modem, and application-based users, to have access to and the use of the Internet that is provided without unreasonable discrimination as to lawful choice of content; *and*

**WHEREAS**, On March 12, 2015, the Federal Communications Commission (FCC) released its Open Internet Order (Order) (Report and Order on Remand, Declaratory Ruling, and Order, *Protecting and Promoting the Open Internet*, GN Docket No. 14-28, FCC 15-24), which complies in many respects with NARUC's open Internet resolutions; *and*

**WHEREAS**, The Order has been challenged in court using various legal theories, including whether invoking Title II was appropriate and whether forbearance was proper; *and*

**WHEREAS**, NARUC has intervened in one of these lawsuits on May 11, 2015, to support the Order noting that NARUC's members' ability to protect ratepayers and the public interest will be impacted by the outcome of this appeal and that it supports the FCC's legal rationale; *and*

**WHEREAS**, Principles and proceedings that promote an open Internet, enhance transparency between providers and users, promote and enhance competition for broadband access, and address potential market abuses serve to increase consumer choice, establish certainty for stakeholders, and benefit Americans who are increasingly dependent on broadband access for their daily lives; *and*

**WHEREAS**, Federal, State, industry, and consumer stakeholders should continue to work cooperatively to maintain the Open Internet principles espoused in the Order and previous NARUC declarations; *and*

**WHEREAS**, Congress has expressed interest in a bipartisan legislative solution to maintain the open Internet principles espoused in the Order and previous NARUC declarations; *now, therefore be it*

**RESOLVED**, That the Board of Directors of the National Association of Regulatory Utility Commissioners, convened at its 2015 Summer Meetings in New York, New York, encourages Congress to include in any legislation upholding the Open Internet the principles as outlined in NARUC resolutions.

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*Sponsored by the Committee on Telecommunications*  
*Recommended by the NARUC Board of Directors, July 15, 2015*