

From: Clay T. Whitehead  
Sent: Tuesday, February 13, 2007 9:16 AM  
To: Susan Burgess  
Subject: RE: net neutrality talk w/ Bruce Byrd yesterday

That is helpful, particularly #4. #5, however, seems it could equally be used to allow AT&T to cut a sweetheart deal with Google. I still don't see what positive benefit Google expects to get.

-----Original Message-----

From: Susan Burgess  
Sent: Tuesday, February 13, 2007 8:36 AM  
To: Clay T. Whitehead  
Subject: net neutrality talk w/ Bruce Byrd yesterday

Tom,

My talk with Bruce yesterday was reassuring because it confirmed for me that you and I had correctly identified several reasons why carriers like AT&T oppose net neutrality regulation. See reasons 1, 4, and 5 below for the additional rationales Bruce taught me.

AT&T claims that:

(1) Google began fighting for "net neutrality" to restore computer inquiry rules that the Brand X decision lifted. But the rules that were lifted had nothing to do w/ the net neutrality regulations that Google wants to see. The rules had nothing to do w/ AT&T's end relationship w/ its end user and nothing to do w/ the special agreements AT&T would cut in internet space, so the idea that that was net neutrality regulations is simply false.

(2) net neutrality regulation isn't needed because AT&T would damage its business if they blocked Internet content, as the Googles and Amazons claim they will;

(3) existing laws are sufficient to protect the Googles and Amazons from the anticompetitive practices they fear, and the FCC is empowered to fight

discriminatory behavior;

(4) cable was and has been the dominant provider of broadband and they've never been subject to rules like these and no one, including Google and Amazon, claimed that cable was discriminating against web providers, nor have there been any demonstrative defects with cable broadband;

(5) Google claims that net neutrality would protect the little guy, but it wouldn't. Net neutrality would lessen Google's competition with the little guy by preventing the AT&Ts from arranging special relationships with small upstarts that need greater server support than giants like Google.

I have yet to hear back from Google on these issues, but will update you when I do.

Susan

**From:** Clay T. Whitehead  
**Sent:** Monday, January 29, 2007 3:57 PM  
**To:** Susan Burgess  
**Subject:** RE: factual information about the proposed House bill

I think net neutrality is mixed up with broadcast station ownership restrictions and perhaps other anti-business measures in electronic media the Dems are mulling now that they control the Congressional agenda. The ownership restrictions are up at the FCC this week (??), but I don't want to get into that here.

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**From:** Susan Burgess  
**Sent:** Monday, January 29, 2007 3:47 PM  
**To:** tom@cw.com  
**Subject:** factual information about the proposed House bill

Rep. Maurice Hinchey (D-N.Y.) is the sponsor of the Media Ownership Reform Act (MORA) of 2005, H.R. 3302.

Some news articles report that Sen. Bernie Sanders (I-Vt.) has proposed a similar companion bill in the Senate, but I have not found such a bill, and his website doesn't say that he's proposed a bill in the Senate. Rather, the site says only that Sanders introduced "legislation that would rescind the terrible FCC decision of June 2, 2003 that would allow for more media consolidation and has presented the Speaker of the House with a letter signed by over 200 members demanding a vote on a Resolution of Disapproval with regard to that FCC decision." Journalists may have misconstrued this sentence, which could simply mean that Sanders introduced similar legislation in the House when he was a member there before being elected to the Senate.

The House bill, which has 16 cosponsors, has been referred to the House Committee on Energy and Commerce. Rep. Dennis Kucinich (D-Ohio), head of the House Domestic Policy Committee, says that he will hold hearings on the media because "the media has become the servant of a very narrow corporate agenda." The hearings will not be held for at least several weeks b/c the Committee will not have set their agenda for several weeks.

MORA's cosponsors:

Peter DeFazio (Or.)  
Bob Filner (Ca.)  
Alcee Hastings (Fl.)  
Marcy Kaptur (Ohio)  
Barbara Lee (Ca.)  
Jim McDermott (Wa.)  
James Moran (Va.)  
Major R. Owens (N.Y.)  
Bernard Sanders (Vt.)  
Janice Schakowsky (Ill.)  
Louis Slaughter (N.Y.)  
Hilda Solis (Ca.)  
Forney Pete Stark (Ca.)  
Maxine Waters (Ca.)  
Diane Watson (Ca.)  
Lynn Woolsey (Ca.)