

**STATEMENT OF COMMISSIONER MEREDITH ATTWELL BAKER ON THE
INCLUSION OF NET NEUTRALITY ON THE TENTATIVE AGENDA FOR THE
COMMISSION'S DECEMBER OPEN MEETING
DECEMBER 1, 2010**

The Chairman has announced his intent for the Commission to adopt a Net Neutrality Order at our delayed December Open Meeting. He has circulated a draft that purports to be a compromise solution. This is a mistake.

We do not have authority to act. The new majority of the House Committee on Energy and Commerce has asked the Commission not to circulate this Order, and a clear majority of all Members of Congress has expressed concern with our Internet policies. Whether the Internet should be regulated is a decision best left to the directly elected representatives of the American people.

I urge the Chairman to defer action on Net Neutrality until the new Congress has had an opportunity to address this issue. Until such time, it would be reckless and inappropriate for the Commission to act upon the Chairman's controversial and partisan proposal. Moving forward would be a direct rebuke of Congress that could jeopardize unnecessarily our ability to partner with Congress on issues of great national importance.

Just because Title II is even more destructive to investment does not transform Title I into a middle ground. The American people seek sensible consensus-driven solutions, not more big government intervention.

This March, all 5 FCC commissioners joined together on a Joint Statement on Broadband. We all agreed our top priorities included broadband deployment, broadband adoption, spectrum reform, universal service policy, and public safety. Net Neutrality appears nowhere in that consensus agenda. Yet by today's regrettable decision, the Chairman has elevated a partisan Net Neutrality pledge above a bipartisan commitment.

We all believe in an open Internet. It is open today, it is fast moving, and it serves as a vibrant growth engine for our economy and job creation. Let's not rush to undermine it.