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WASHINGTON, DC 20510-6275

KRISTINE J. LUCIUS, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

October 23, 2014

Mr. Randall L. Stephenson
President and Chief Executive Officer
AT&T Inc.
208 South Akard Street
Dallas TX 75202

Dear Mr. Stephenson:

Over the past few months, more than 3.7 million Americans filed comments with the Federal Communications Commission (FCC) on its proposed rules to protect an open Internet. The record number of comments reflects the critical importance of this issue to consumers and businesses. I agree with the overwhelming majority of commenters that have called on the FCC to enact meaningful rules that will protect consumers and preserve competition online.

One area of particular concern to me, as to millions of others, is the risk of paid prioritization agreements through which websites could be charged for priority access over the Internet. These types of arrangements pose a significant threat of dividing the Internet into those who can afford to compete and those who cannot. Small business owners that rely on the Internet to reach customers, independent content producers who rely on new platforms to gain an audience, and start-up ventures of all sizes have loudly and validly expressed concern that paid prioritization would change the Internet as we know it. Allowing the Internet to become a two-tiered system of “haves” and “have-nots,” controlled by a small number of corporate gatekeepers, would destroy everything that has made it one of the greatest innovations in human history.

In AT&T’s comments to the FCC on the open Internet, the company wrote that it “has no intention of creating fast lanes and slow lanes or of using prioritization arrangements for discriminatory or anti-competitive ends.” I welcome that assertion, but I remain gravely concerned that if such agreements are permitted, market incentives may drive AT&T and other ISPs to change that position in the future. In a world of increasing broadband consolidation, Internet customers and Internet content providers face fewer options than ever to gain access online. A network that discriminates cannot be checked by market forces when customers and content providers have few—if any—viable alternatives to choose from.

If the Internet is to remain an open, accessible platform for the free flow of ideas, we need strong rules of the road in place to guarantee those protections. That is why I have introduced legislation with Congresswoman Doris Matsui that would ban paid prioritization arrangements, and have urged the FCC to enact meaningful net neutrality rules to preserve the Internet we know today. Knowing that one-off cases under our antitrust laws would simply offer an ad-hoc, after-the-fact solution, available only to those with the deep pockets to afford litigation, we need to restore baseline rules of non-discrimination through clear action by the FCC.

Mr. Randall L. Stephenson

October 23, 2014

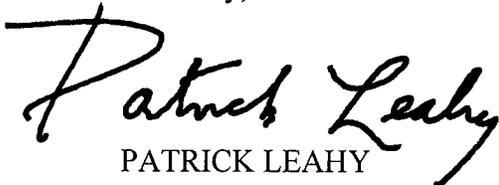
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We also need meaningful pledges from our Nation's broadband providers that they share the American public's commitment to an Internet that remains open and equally accessible to all. As a condition of the Comcast-NBC Universal merger, Comcast is bound to the net neutrality principles embodied in the FCC's Open Internet Order through the end of 2018. The rules that Comcast has agreed to should be viewed as a minimum level of protection to promote competition online, and the commitment to those principles should extend to all broadband customers well beyond the imminent cut-off date of 2018.

As the antitrust regulators continue to evaluate the proposed AT&T-DirecTV transaction, and regardless of whether it is approved, I ask AT&T to pledge that it will not engage in paid prioritization. I also ask that AT&T pledge not to engage in any activity that prioritizes affiliated content or services over unaffiliated content or services, helping to ensure that vertical integration does not threaten competition online.

Making these pledges will go a long way to ensuring that the Internet as we know it will remain open, vibrant, and competitive. I look forward to your swift response.

Sincerely,

A handwritten signature in black ink that reads "Patrick Leahy". The signature is written in a cursive, flowing style with a large initial "P".

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Chairman

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KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

October 23, 2014

Thomas M. Rutledge
President and Chief Executive Officer
Charter Communications, Inc.
400 Atlantic Street, 10th Floor
Stamford CT 06901

Dear Mr. Rutledge:

Over the past few months, more than 3.7 million Americans filed comments with the Federal Communications Commission (FCC) on its proposed rules to protect an open Internet. The record number of comments reflects the critical importance of this issue to consumers and businesses. I agree with the overwhelming majority of commenters that have called on the FCC to enact meaningful rules that will protect consumers and preserve competition online.

One area of particular concern to me, as to millions of others, is the risk of paid prioritization agreements through which websites could be charged for priority access over the Internet. These types of arrangements pose a significant threat of dividing the Internet into those who can afford to compete and those who cannot. Small business owners that rely on the Internet to reach customers, independent content producers who rely on new platforms to gain an audience, and start-up ventures of all sizes have loudly and validly expressed concern that paid prioritization would change the Internet as we know it. Allowing the Internet to become a two-tiered system of “haves” and “have-nots,” controlled by a small number of corporate gatekeepers, would destroy everything that has made it one of the greatest innovations in human history.

As consumers across the country have raised concerns about paid prioritization, a number of Internet Service Providers (ISPs) have stated that they do not intend to enter into paid prioritization agreements. While I welcome these statements, I remain gravely concerned that if such agreements are permitted, market incentives may drive ISPs, including Charter, to change that position in the future. In a world of increasing broadband consolidation, Internet customers and Internet content providers face fewer options than ever to gain access online. A network that discriminates cannot be checked by market forces when customers and content providers have few—if any—viable alternatives to choose from.

If the Internet is to remain an open, accessible platform for the free flow of ideas, we need strong rules of the road in place to guarantee those protections. That is why I have introduced legislation with Congresswoman Doris Matsui that would ban paid prioritization arrangements, and have urged the FCC to enact meaningful net neutrality rules to preserve the Internet we know today. Knowing that one-off cases under our antitrust laws would simply offer an ad-hoc, after-the-fact solution, available only to those with the deep pockets to afford litigation, we need to restore baseline rules of non-discrimination through clear action by the FCC.

Mr. Thomas M. Rutledge
October 23, 2014
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We also need meaningful pledges from our Nation's broadband providers that they share the American public's commitment to an Internet that remains open and equally accessible to all. As a condition of the Comcast-NBC Universal merger, Comcast is bound to the net neutrality principles embodied in the FCC's Open Internet Order through the end of 2018. If antitrust regulators approve the Comcast-Time Warner Cable transaction and the proposed spinoff of 2.5 million former Comcast customers to Charter, Comcast's commitment to the Open Internet Order will no longer apply to the new customers Charter acquires. The rules that Comcast has agreed to should be viewed as a minimum level of protection to promote competition online, and the commitment to those principles should extend to all broadband customers well beyond the imminent cut-off date of 2018.

As the antitrust regulators continue to evaluate the proposed Comcast-Time Warner Cable and Comcast-Charter transactions, and regardless of whether they are approved, I ask Charter to pledge that it will not engage in paid prioritization. I also ask that Charter pledge not to engage in any activity that prioritizes affiliated content or services over unaffiliated content or services, helping to ensure that vertical integration does not threaten competition online.

Making these pledges will go a long way to ensuring that the Internet as we know it will remain open, vibrant, and competitive. I look forward to your swift response.

Sincerely,

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October 23, 2014

Mr. Robert D. Marcus
Chief Executive Officer
Time Warner Cable, Inc.
60 Columbus Circle
New York NY 10023

Dear Mr. Marcus:

Over the past few months, more than 3.7 million Americans filed comments with the Federal Communications Commission (FCC) on its proposed rules to protect an open Internet. The record number of comments reflects the critical importance of this issue to consumers and businesses. I agree with the overwhelming majority of commenters that have called on the FCC to enact meaningful rules that will protect consumers and preserve competition online.

One area of particular concern to me, as to millions of others, is the risk of paid prioritization agreements through which websites could be charged for priority access over the Internet. These types of arrangements pose a significant threat of dividing the Internet into those who can afford to compete and those who cannot. Small business owners that rely on the Internet to reach customers, independent content producers who rely on new platforms to gain an audience, and start-up ventures of all sizes have loudly and validly expressed concern that paid prioritization would change the Internet as we know it. Allowing the Internet to become a two-tiered system of “haves” and “have-nots,” controlled by a small number of corporate gatekeepers, would destroy everything that has made it one of the greatest innovations in human history.

In Time Warner Cable’s (TWC) comments to the FCC on the open Internet, you wrote that “no broadband provider,” including TWC, “has actually established ‘fast lanes’ and ‘slow lanes’ on its network, and no provider has expressed any interest in doing so.” TWC also stated that broadband providers “have made clear that they intend to give subscribers unfettered access to whatever lawful content and services are available online.” I appreciate those intentions, but I remain gravely concerned that market incentives may drive TWC and other Internet Service Providers (ISPs) to change that position in the future. In a world of increasing broadband consolidation, Internet customers and Internet content providers face fewer options than ever to gain access online. A network that discriminates cannot be checked by market forces when customers and content providers have few—if any—viable alternatives to choose from.

If the Internet is to remain an open, accessible platform for the free flow of ideas, we need strong rules of the road in place to guarantee those protections. That is why I have introduced legislation with Congresswoman Doris Matsui that would ban paid prioritization arrangements, and have urged the FCC to enact meaningful net neutrality rules to preserve the Internet we know today. Knowing that one-off cases under our antitrust laws would simply offer an ad-hoc,

Mr. Robert D. Marcus

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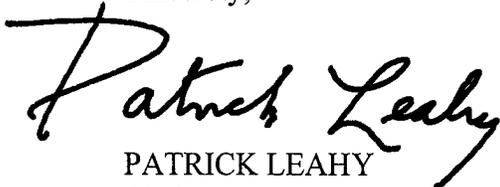
after-the-fact solution, available only to those with the deep pockets to afford litigation, we need to restore baseline rules of non-discrimination through clear action by the FCC.

We also need meaningful pledges from our Nation's broadband providers that they share the American public's commitment to an Internet that remains open and equally accessible to all. As a condition of the Comcast-NBC Universal merger, Comcast is bound to the net neutrality principles embodied in the FCC's Open Internet Order through the end of 2018, and that commitment will extend to TWC's broadband customers if the Comcast-TWC merger is approved. Those rules, however, should be viewed as a minimum level of protection to promote competition online, and the commitment to those principles should extend well beyond the imminent cut-off date of 2018.

As the antitrust regulators continue to evaluate TWC's proposed transaction with Comcast, I ask TWC to pledge that it will not engage in paid prioritization. I also ask that TWC pledge not to engage in any activity that prioritizes affiliated content or services over unaffiliated content or services, helping to ensure that vertical integration does not threaten competition online.

Making these pledges will go a long way to ensuring that the Internet as we know it will remain open, vibrant, and competitive. I look forward to your swift response.

Sincerely,

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KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

October 23, 2014

Mr. Lowell C. McAdam
Chairman and Chief Executive Officer
Verizon Communications, Inc.
140 West Street
New York NY 10007

Dear Mr. McAdam:

Over the past few months, more than 3.7 million Americans filed comments with the Federal Communications Commission (FCC) on its proposed rules to protect an open Internet. The record number of comments reflects the critical importance of this issue to consumers and businesses. I agree with the overwhelming majority of commenters that have called on the FCC to enact meaningful rules that will protect consumers and preserve competition online.

One area of particular concern to me, as to millions of others, is the risk of paid prioritization agreements through which websites could be charged for priority access over the Internet. These types of arrangements pose a significant threat of dividing the Internet into those who can afford to compete and those who cannot. Small business owners that rely on the Internet to reach customers, independent content producers who rely on new platforms to gain an audience, and start-up ventures of all sizes have loudly and validly expressed concern that paid prioritization would change the Internet as we know it. Allowing the Internet to become a two-tiered system of “haves” and “have-nots,” controlled by a small number of corporate gatekeepers, would destroy everything that has made it one of the greatest innovations in human history.

In Verizon’s comments to the FCC on the open Internet, the company wrote that “neither Verizon nor any other broadband providers of which we are aware has introduced any form of paid prioritization arrangement to date, nor expressed a public interest in doing so,” and that “Verizon has no plans for such a service.” I welcome that assertion, but I remain gravely concerned that market incentives may drive Verizon and other ISPs to change that position in the future. In a world of increasing broadband consolidation, Internet customers and Internet content providers face fewer options than ever to gain access online. A network that discriminates cannot be checked by market forces when customers and content providers have few—if any—viable alternatives to choose from.

If the Internet is to remain an open, accessible platform for the free flow of ideas, we need strong rules of the road in place to guarantee those protections. That is why I have introduced legislation with Congresswoman Doris Matsui that would ban paid prioritization arrangements, and have urged the FCC to enact meaningful net neutrality rules to preserve the Internet we know today. Knowing that one-off cases under our antitrust laws would simply offer an ad-hoc,

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October 23, 2014
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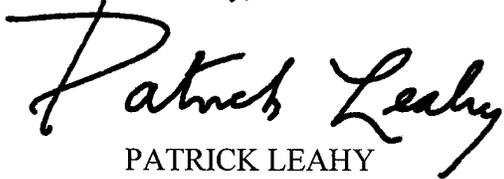
after-the-fact solution, available only to those with the deep pockets to afford litigation, we need to restore baseline rules of non-discrimination through clear action by the FCC.

We also need meaningful pledges from our Nation's broadband providers that they share the American public's commitment to an Internet that remains open and equally accessible to all. As a condition of the Comcast-NBC Universal merger, Comcast is bound to the net neutrality principles embodied in the FCC's Open Internet Order through the end of 2018. I believe that the rules that Comcast has agreed to should be viewed as a minimum level of protection to promote competition online, and the commitment to those principles should extend to all broadband customers well beyond the imminent cut-off date of 2018.

I ask Verizon, as a leading ISP, to pledge that it will not engage in paid prioritization. I also ask that Verizon pledge not to engage in any activity that prioritizes affiliated content or services over unaffiliated content or services, helping to ensure that vertical integration does not threaten competition online.

Making these pledges will go a long way to ensuring that the Internet as we know it will remain open, vibrant, and competitive. I look forward to your swift response.

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