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Internet Association

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February 6, 2017

The Honorable Members of
the House of Delegates
Virginia General Assembly
General Assembly Building
Capitol Square
Richmond, Virginia 23219

Dear Members:

On January 19, 2017, and February 1, 2017, the private-sector companies and national associations listed below sent letters to members of the House Commerce and Labor Committee, urging them not to pass the original and first substitute versions of HB 2108. Last Thursday, the sponsor of HB 2108 introduced a second substitute, to which we did not have an opportunity to respond before the Committee passed it by a vote of 11-9. While the current version of HB 2108 no longer contains many of the troubling provisions in the prior versions, it would still have the same adverse effects. We therefore urge you to reject HB 2108, once and for all.

The current version of HB 2108 is a deeply flawed bill, not just because it would harm Virginia's localities, but also because it would harm the private sector in multiple ways. It would effectively derail public-private partnerships by removing the right that localities have under current law to protect the sensitive, confidential business information that they receive from the private sector in negotiating, developing, and participating in such partnerships. In addition, by also derailing other forms of public broadband initiatives, HB 2108 would deny private companies the opportunity to sell their equipment and services to public broadband providers. It would prevent private companies from using advanced public networks to offer Virginia businesses and residents an endless array of products and services requiring increasingly fast connections. HB 2108 would also thwart economic, educational, and vocational opportunities that would contribute to a skilled workforce from which businesses across the state would benefit.

Virginia's communities must compete in an increasingly knowledge-based global economy in which advanced communications networks are becoming increasingly common. Localities that lack affordable access to such networks cannot realistically hope to attract or retain and strengthen 21st century businesses, institutions, and other employers. Nor can they provide their residents, particularly their young people, reasons to stay in their communities. These localities will be condemned to economic stagnation or worse – like the “ghost towns” that died a century ago for lack of adequate electricity.

Virginia and America need more, not fewer, options to ensure that our businesses and residents will have prompt access to the benefits of advanced communications networks. Local elected leaders are in the best position to understand their communities' needs and to determine which option works best for them. They should not have their hands tied by artificial legal barriers such as HB 2108.

In short, HB 2108 is bad for Virginia's communities, bad for the private sector, particularly the high-tech industry, and bad for America's global competitiveness. **Please reject HB 2108, as well any further amendments that would limit local Internet choice.**

Sincerely,

Atlantic Engineering
Coalition for Local Internet Choice
CTC Energy & Technology
Fiber to the Home Council
Google
Indeed
Internet Association
National Association of Telecommunications
Officers and Advisors
Netflix
Next Century Cities
Nokia
OnTrac
Telecommunications Industry Association
Ting Internet
Utilities Technology Council

cc: The Honorable Governor Terry McAuliffe
The Honorable Kathy Byron (sponsor)