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Federal Communications Commission
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FCC LAUNCHES PROCEEDING TO PROMOTE WIDESPREAD DEPLOYMENT OF HIGH-SPEED BROADBAND INTERNET ACCESS SERVICES

Washington, D.C. – Today, the Federal Communications Commission (FCC) adopted a major rulemaking to promote greater deployment of broadband services. The *Notice of Proposed Rulemaking (Notice)* is poised to resolve outstanding issues regarding the classification of telephone-based broadband Internet access services and the regulatory implications of that classification. The additional clarity brought by the resolution of these issues will promote greater investment in the nation's broadband infrastructure.

In the *Notice* adopted today, the FCC tentatively concluded the wireline broadband Internet access services – whether provided over a third party's facilities or self-provisioned facilities – are information services, with a telecommunications component, rather than telecommunications services. Information services include such services as voice mail and e-mail, which ride over telecommunications facilities.

Today's action follows four other related proceedings – the *Cable Modem NOI*, the *National Performance Measures NPRM*, the *Incumbent LEC Broadband Notice* and the *Triennial UNE Review Notice*. These proceedings, together with today's action, build the foundation for a comprehensive and consistent national broadband policy.

In addressing these issues raised in this *Notice*, the Commission is guided by the following principles and policy goals:

1. Encourage the ubiquitous availability of broadband access to the Internet to all Americans.
2. Promote competition across different platforms for broadband services.
3. Ensure that broadband services exist in a minimal regulatory environment that promotes investment and innovation.
4. Develop an analytical framework that is consistent, to the extent possible, across multiple platforms.

In addition to the threshold classification issues, the Commission seeks comment on a number of issues including:

- whether the Computer Inquiry network access requirements should be modified or eliminated;
- whether important national security, network reliability and consumer protection obligations should apply to providers of wireline broadband Internet access services; and,
- how to strike an appropriate balance of responsibilities between the Commission and the states with respect to broadband Internet access services.

Additionally, this *Notice* seeks comment, without drawing any conclusions, on whether facilities-based broadband Internet access providers should be required to contribute to support universal service. In the *Contribution Methodology Further Notice*, also adopted today, the Commission asks the question of whether the contribution assessment methodology for universal service should be changed.

The Commission is currently considering parallel issues regarding the regulatory classification of cable modem service in the *Cable Modem NOI*. These issues will be resolved in that separate proceeding.

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CC Docket 02-33

Action by the Commission February 14, 2002, by Notice of Proposed Rulemaking (FCC 02-42). Chairman Powell and Commissioner Abernathy, with Commissioner Copps dissenting in part and concurring in part, Commissioner Martin approving in part and dissenting in part, and Chairman Powell, Commissioners Abernathy, Copps and Martin issuing separate statements.

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