

NETFLIX



Telecommunications Industry Association
Advancing Global Communications

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March 15, 2016

HAND DELIVERED

Hon. Ray Scott, Chairman
Hon. Jerry Sonnenberg, Vice-Chairman
Senate State, Veterans and Military Affairs Committee
Colorado State Capitol
200 East Colfax Avenue
Denver, CO 80203

Dear Chairman Scott and Vice-Chairman Sonnenberg:

We, the private-sector companies and associations listed below, urge you not to pass SB 136. As applied to advanced communications capabilities and services, the bill would amount to a virtual ban on local choice. It would harm both the public and private sectors, retard economic growth, prevent the creation or retention of jobs around the State, particularly in rural areas, hamper work force development, and diminish the quality of life in Colorado.

In particular, SB 136 would hurt the private sector by derailing or unnecessarily complicating and delaying public-partnerships, by interfering with the ability of private companies to make timely sales of equipment and services to public broadband providers, by denying private companies timely access to advanced networks over which they can offer business and residential customers an endless array of modern products and services, and by impairing economic and educational opportunities that contribute to a skilled workforce from which businesses across the state will benefit.

The United States must compete in a global economy in which advanced communications networks are playing an increasingly significant role. The U.S. needs affordable access to such networks in as many communities as possible, as rapidly as possible, so that innovators can develop next-generation applications and services that will drive economic growth and global competitiveness. Unfortunately, in many of America's communities, particularly in rural areas, the current communications service providers are unable or unwilling to invest in advanced communications networks rapidly enough to enable the communities to stay abreast of their peers elsewhere in the United States and around the world. These communities should be free of artificial barriers, including the cumbersome, time-consuming, expensive, and ambiguous requirements of SB 136, to do their part to help bring affordable high-capacity broadband connectivity to all Americans and to advance America's global competitiveness.

Communities in Colorado and across America are eager to work with willing established carriers, to enter into public-private partnerships with new entrants, to develop their own networks, if necessary, or to create other innovative means of acquiring affordable access to advanced communications capabilities. These are fundamentally local decisions that should be made by the communities themselves, through the processes that their duly elected and accountable local officials ordinarily use for making comparable decisions. They should also be able to use their own resources as they deem appropriate to foster economic development, educational opportunity, public safety, and much more, without having to comply with the restrictive bottlenecks that SB 136 would impose.

We support strong, fair, and open competition to ensure that users can enjoy the widest range of choices and opportunities. SB 136 would take us in the wrong direction. It is bad for Colorado communities, particularly rural communities, bad for the private sector, particularly high-technology companies, and bad for America's global competitiveness. **Please do not pass SB 136 or any amendment or other measure that could significantly impair community broadband deployments or public-private partnerships in Colorado. For the same reasons, we also urge you to repeal Colorado's existing barriers, as codified in Colorado Revised Statutes, Section 29-27-101 *et seq.***

Sincerely,

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

cc: Members of the Senate State, Veterans and Military Affairs Committee