

June 23, 2014

The Honorable Thomas Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Wheeler:

I am writing to respectfully request the Federal Communications Commission (FCC) to promptly begin a series of field hearings across the country to hear from communities and businesses who could be most affected by the FCC's Notice of Proposed Rulemaking (NPRM) for new Open Internet rules, and to hold one of those hearings in New Mexico. I'm pleased you've already announced your plan to visit New Mexico later this month to participate in a panel discussion which includes conversations on net neutrality, telehealth, and rural broadband access. These types of discussions and field hearings across the country are essential to promote open dialogues with the public.

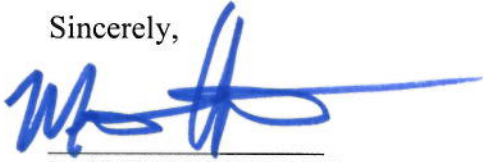
I have heard serious concerns from my constituents across New Mexico that proposed rules to include a "fast lane" for online content delivery could undermine the very principles of an open Internet. It is important that access to internet platforms remains open, fair, and equal for all. New Mexico's burgeoning technology corridor deserves to compete on a level playing field that fosters innovation and encourages companies to grow. If businesses have to spend their valuable capital on prioritized access, it could stifle innovation, limit job growth, and discourage employers from investing in their employees.

The proposed rules could leave communities and businesses at a disadvantage. A strong economy requires readily available, high speed access to information technology. Today, many rural, tribal, and low-income areas lack such access leaving them underprepared to compete for high-paying jobs or provide their children with the education they need to compete. In New Mexico, we know these issues all too well; we currently rank as one of the lowest among states with minimally adequate broadband access and adoption.

In light of these issues, I have serious concerns about how states like mine would fare under the proposed new rule, which would create a priority lane for broadband service and weaken consumer protections. The FCC needs to establish strong, enforceable rules that ensure free speech and preserve competition. As the Commission gathers input about this proposed rule, I believe public hearings provide an opportunity for everyone, including our most underserved communities, to voice their input directly to the Commission.

I appreciate your consideration of this request. Please do not hesitate to contact me if I can assist you on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Heinrich', with a long horizontal flourish extending to the right.

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MARTIN HEINRICH  
United States Senator