

I am writing to urge you to oppose the Advanced Telecommunications Opportunities Reform Act (H.R. 5252), originally introduced by Senator Stevens as the Communications, Consumer's Choice, and Broadband Deployment Act of 2006 (S. 2686). The bill would harm consumers, cities and counties.

First, the bill fails to keep local governments financially whole because it strips state and local governments of their tax authority over broadband and wireless telecommunications services. The permanent extension of the Internet Tax Moratorium and the imposition of a three-year tax moratorium on cell phone service are premature and have not been well considered. We believe that there are unintended consequences to this legislation that have not yet been fully discussed. There should be no rush to take action on legislation so important.

Second, it would permit companies to pick and choose the neighborhoods in which they want to provide video and broadband services, while allowing them to bypass other neighborhoods completely.

These advanced services are critical to the well-being of all of the citizens of our communities and are far too important to allow individual companies to decide who should or should not have access. For decades, local governments have managed the provision of services to and within our communities in the best manner and in the best interests of our constituents. We should continue to have this authority.

Third, it would replace strong state and local consumer protection and customer service standards with federal regulations drafted by federal bureaucrats who are not accountable to state and local communities and consumers.

Consumers should be able to look to and rely upon their local and state elected officials to ensure that their interests are protected, and that they have adequate recourse when needed. The federal bureaucracy is not the place where these issues should be decided. This is not a one-size-fits-all problem, and it should not be forced into a one-size-fits-all solution.

Fourth, it would unilaterally preempt other carefully crafted state and local laws that encourage competition and protect the public interest.

Local governments worked hard to improve this legislation. But there remain significant areas where our authority to protect the rights and interests of our citizens are severely impacted. The bill's sweeping preemptions eviscerate the long-standing partnership between federal, state and local governments in shaping our nation's communications policies.

State and local government associations are united in their opposition to the bill and the damage it would do to our system of federalism. We believe that local governments are in the best position to protect our consumers - and we want to ensure we continue to have the means to do so.

Sincerely,