



David L. Cohen
Executive Vice President

May 27, 2014

By Hand

The Honorable Al Franken
United States Senate
309 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Franken:

I am writing in response to your May 21, 2014 letter to Brian Roberts requesting clarification of Comcast's position on its existing open Internet obligations. These obligations stem from Comcast's commitment, as part of the NBCUniversal transaction, to comply with the FCC's 2010 Open Internet Order (the "2010 Order") for the term of the transaction conditions, even if the 2010 Order was overturned as a result of a legal challenge brought by Verizon. The FCC's request, and our commitment, were designed to provide a bridge for the FCC to act to put in place new industry-wide open Internet rules in the event of an adverse court decision. The commitment was never designed to be perpetual in term.

Comcast is and has been a strong supporter of a free and open Internet – for many of the same reasons that you express. We actively participated in multi-industry negotiations underlying the 2010 Order. And we support the current efforts by Chairman Wheeler and the FCC to put in place a new, legally enforceable Open Internet Order, consistent with the broad authority outlined by the D.C. Circuit under Section 706 of the Telecommunications Act.

Currently, Comcast is the only Internet Service Provider ("ISP") in the United States that is legally bound by the no blocking and non-discrimination provisions of the 2010 Order. If the proposed transaction between Comcast and Time Warner Cable is approved, these open Internet protections will be extended to millions of additional consumers.

Your May 21 letter and prior questions to me on this issue go to whether the FCC will issue robust new open Internet rules by the time the NBCUniversal conditions expire in 2018, and whether these new rules will withstand a possible judicial challenge. We believe the answers to these questions are "yes" on both counts. Chairman Wheeler has commenced a proceeding, issued a proposed Order, and expressed his commitment to expedite the adoption of new rules. Comcast is supportive of that process and continues to advocate for appropriate, legally enforceable open Internet rules that ensure consumers have the right and ability to access whatever legal content they desire over the broadband services they purchase without any improper blocking or discrimination and with full transparency. That is why Comcast had no reservations committing to abide by all aspects of the 2010 Order, even though no other ISPs are legally bound by these same requirements, in order to give the FCC time to act to put in place industry-wide open Internet protections in the event the courts overturned the 2010 Order.

The Honorable Al Franken
May 27, 2014
Page Two

Despite Comcast's individual commitments as a company, we firmly believe that these open Internet protections should apply industry-wide, not only to the benefit of our customers, *but also to the benefit of all Americans using the Internet*. Otherwise, even after our proposed transaction with Time Warner Cable, *more than six out of ten* Internet users with fixed broadband services would lack legally enforceable open Internet protections. Thus, an indefinite commitment by Comcast alone, as part of the proposed Time Warner Cable transaction, to adhere to any form of open Internet rules would not ensure an open Internet for all Americans and would be neither fair nor appropriate.

Comcast will continue to be a strong advocate for robust open Internet protections for all Internet users. We will expand upon our position in the ongoing FCC rulemaking and work with Chairman Wheeler and the Commissioners in developing new rules to ensure that all Internet users in the United States, not just Comcast customers, will benefit from an open Internet.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Cohen", written over a circular stamp or watermark.

David L. Cohen

cc: Brian L. Roberts