



June 10, 2021

The Honorable Mike DeWine, Governor
 Members of the Ohio Senate
 Members of the House of Representatives

We, the 20 private-sector companies and associations listed below, vigorously oppose the government-owned networks provisions in Senate’s proposed amendments to HB 110. These provisions were dropped into the Senate’s proposed amendments at the last moment, with no prior notice or opportunity for debate. They would effectively kill existing and future community broadband initiatives and public-private broadband partnerships in Ohio. They would even preclude Ohio’s local governments from taking advantage of federal funding intended to help them accelerate the deployment, adoption, and use of advanced communications services and capabilities, particularly in unserved and underserved areas. These misconceived provisions would be bad for the communities involved, bad for the private sector, and bad for America’s global competitiveness. We strongly urge you to reject them.

As the General Assembly of Arkansas recently found, “without access to voice, data, broadband, video, and wireless telecommunications services, citizens of Arkansas also lack access to healthcare services, education services, and other essential services; and that this act is immediately necessary to allow government entities to provide high quality voice, data, broadband, video, and wireless telecommuni-

cations services to their citizens.” The conservative Arkansas legislature responded to this crisis by *unanimously* enacting a new law (attached) that significantly expands the broadband options available to local governments. The restrictions proposed here would do just the opposite.

While the harm that these proposed restrictions would do to Ohio’s communities should be obvious, the injury to the private sector may not be. In fact, the restrictions would hurt the private sector in multiple ways. They would prevent private companies from making timely sales of equipment and services to public networks. They would impede companies from using advanced public networks to offer businesses and residential customers an endless array of modern products and services. They would thwart economic and educational opportunities that can contribute to a skilled workforce that would benefit existing and new businesses across the state. They would also discourage companies from entering into creative public-private partnerships that benefit all concerned.

Also, the United States must compete in a global economy in which high capacity communications networks are playing an increasingly significant role. We need affordable access to advanced communications 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. As Senator John McCain said on the US Senate floor in the course of introducing a bill that would have invalidated all state barriers to public broadband initiatives across the United States, “As a country, we cannot afford to cut off any successful strategy if we want to remain internationally competitive.”

Ohio’s municipalities 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 services and capabilities. These are fundamentally local decisions that should be made at the community level, through the processes that local leaders ordinarily use for making comparable decisions.

In sum, enactment of the proposed amendments to HB 110 would be a significant step in the wrong direction. Our nation’s experience with COVID-19 and its profound impacts on our lives have removed any reasonable doubts about the need for prompt and vigorous action by both the private and the public sectors. The Ohio legislature should reject the proposed restrictions and any other counterproductive measures that may be introduced to replace them.

Sincerely,

Atlantic Engineering Group
Coalition for Local Internet Choice
Common Sense
Consumer Reports
CTC Energy & Technology
Electronic Frontier Foundation
Fiber Broadband Association
Google Fiber
Institute for Local Self Reliance
National Association of Telecommunications
Officers and Advisors

National Digital Inclusion Alliance
Next Century Cities
Netflix
Nokia
OnTrac
Rural Innovations Strategies, Inc.
SiFi Networks
Ting Internet
ThinkBig Networks
Utilities Technology Council

