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Attorney General Balderas Sues to Stop Illegal Rollback of Net Neutrality

Santa Fe, NM - Today, Attorney General Hector Balderas joined a coalition of 22 Attorneys General in filing a multistate lawsuit to block the Federal Communications Commission's illegal rollback of net neutrality. The coalition filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit, formally commencing the lawsuit against the FCC and the federal government.

“Today we are taking aggressive legal action to stop the illegal rollback of net neutrality protections because New Mexico already struggles to ensure equal internet access for all New Mexicans, and the FCC's blatant, un-American attack on a free and open internet will only further harm vulnerable consumers, families and businesses.” said Attorney General Hector Balderas.

Click here to read the petition - https://ag.ny.gov/sites/default/files/petition_-_filed.pdf. The lawsuit was filed Attorney General Balderas and the attorneys general California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

The repeal of net neutrality would have dire consequences for consumers and businesses in New Mexico and across the country that rely on a free and open internet - allowing internet service providers to block certain content, charge consumers more to access certain sites, and throttle or slow the quality of content from content providers that don't pay more.

Under the Administrative Procedure Act, the FCC cannot make “arbitrary and capricious” changes to existing policies, such as net neutrality. The FCC’s new rule fails to justify the Commission’s departure from its long-standing policy and practice of defending net neutrality, while misinterpreting and disregarding critical record evidence on industry practices and harm to consumers and businesses. Moreover, the rule wrongly reclassifies broadband internet as a Title I information service, rather than a Title II telecommunications service, based on an erroneous and unreasonable interpretation of the Telecommunications Act. Finally, the rule improperly and unlawfully includes sweeping preemption of state and local laws.

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