

**National Governors Association
National Conference of State Legislatures
The Council of State Governments**

August 29, 2014

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: WCB Docket Nos. 14-115 and 14-116

Dear Ms. Dortch:

We the undersigned organizations representing the nations' governors, state legislators and state elected and appointed officials are writing to express our opposition to the petitions presently before the Federal Communications Commission (FCC) seeking preemption of state laws regulating the deployment of certain broadband networks. We respectfully request the FCC honor the established relationship between a state and its constitutionally and statutorily created political subdivisions, and deny the petitions from the Electric Power Board of Chattanooga, Tennessee, and the City of Wilson, North Carolina.


Any outcome in this proceeding attempting to modify or outright preempt the duly-enacted laws of 21 states regulating taxpayer funded broadband networks represents an unnecessary encroachment on states' rights by an agency of the federal government in the absence of express statutory authority. Furthermore, such an action on the part of the FCC to intervene only ties the hands of state policymakers as they seek new strategies to protect the delicate fiscal and economic health of not only the state, but their cities and towns.

We understand the need for ubiquitous broadband, but must insist that state prerogatives be respected in these cases. We are happy to work with you to develop new and effective ways to increase availability and adoption while maintaining the appropriate balance of federal and state oversight.

Sincerely,



Dan Crippen, Executive Director
National Governors Association



William Pound, Executive Director
National Conference of State Legislatures



David Adkins, Executive Director
The Council of State Governments