

Wiley Represents the U.S. Chamber of Commerce in Filing Comments in Response to FCC Title II Proceeding

December 19, 2023

Wiley represented the U.S. Chamber of Commerce (Chamber) in filing comments in response to the Federal Communications Commission's (FCC) proposal to reestablish the FCC's authority over broadband internet access service by classifying it as a "telecommunications service" under Title II of the Communications Act.

In its comments, the Chamber expressed its "vigorous" opposition to the FCC's proposal: "Rather than relitigate Title II, the FCC should focus on pro-competitive, pro-growth policies that will help America continue to lead in the global race for next-generation connectivity." The Chamber went on to state that "Title II reclassification will accomplish one thing—increasing the FCC's control over the Internet. But this expansive assertion of authority is both unlawful and unwise. The Communications Act does not authorize Title II classification of broadband, and in any event, the Supreme Court's major questions doctrine prohibits it."

Wiley attorneys have previously summarized the FCC's proposal, the history behind the Title II proceeding, and the potential impacts and ramifications for broadband. Wiley's lawyers have also been quoted widely on this topic in publications such as Bloomberg, Fierce Telecom, and the Washington Examiner.

The team was led by Wiley partners Tom Johnson, Joshua Turner, and Sara Baxenberg, special counsel Mike Showalter, and associates Stephanie Rigizadeh, Lauren Johnson, and Boyd Garriott.

Related Professionals

Thomas M. Johnson, Jr.
Partner
202.719.4550
tmjohnson@wiley.law

Joshua S. Turner
Partner
202.719.4807
jturner@wiley.law

Sara M. Baxenberg
Partner
202.719.3755
sbaxenberg@wiley.law

Michael J. Showalter
Special Counsel
202.719.7393
mshowalter@wiley.law

Stephanie Rigizadeh
Associate
202.719.4736
srigizadeh@wiley.law

Lauren N. Lerman
Associate
202.719.4664
lberman@wiley.law

Boyd Garriott
Associate
202.719.4487
bgarriott@wiley.law

Practice Areas

Issues and Appeals
Telecom, Media & Technology
Telecommunications & Broadband Service