

May 4, 2009

The Honorable Joe Hackney  
Speaker  
North Carolina House of Representatives  
2207 State Legislative Building  
Raleigh, NC 27601-1096

Dear Speaker Hackney:

We, the undersigned private-sector companies and trade associations urge you to oppose HB1252, the so-called “Level Playing Field Act.” HB1252 is “level” only in the sense that it will harm both the public and private sectors. It will thwart public broadband initiatives, stifle economic growth, prevent the creation or retention of thousands of jobs, and diminish quality of life in North Carolina. In particular, it will hurt the private sector by undermining public-private partnerships, hamstringing our ability to sell our goods and services, interfering with workforce development, and stifling creativity and innovation.

The United States is currently suffering through one of the most serious economic crises in decades. We also continue to lag behind the leading nations in per capita broadband adoption, access to high-capacity networks, cost per unit of bandwidth, and growth of new broadband users. To address these concerns, Congress and the Obama Administration have made more than \$7 billion available to catalyze public and private efforts to accelerate deployment of broadband infrastructure and services. States can ill afford to enact measures like HB1252, which impair use of these broadband funds and the ability of the public and private sectors to work hand-in-hand to reverse these trends.

We support strong, fair and open competition to ensure users can enjoy the widest range of choice and opportunities to access content online, which is the heart of economic development in an information-based global market. HB1252 is a step in the wrong direction. North Carolina should be lowering barriers to public broadband initiatives rather than establishing new ones, so that we and other high technology companies can spread and prosper across this beautiful state. Please oppose HB1252.

Sincerely,

Alcatel-Lucent  
American Public Power Association  
Atlantic Engineering Group, Inc.  
EDUCAUSE  
Fiber to the Home Council  
Google, Inc.  
Intel Corporation  
Utilities Telecom Council  
Telecommunications Industry Association

cc: Governor Bev Perdue (by fax)  
Secretary of Commerce J. Keith Crisco (by fax)  
Rep. Hugh Holliman (by email)  
Rep. William Wainwright (by email)  
Rep. Paul Stam (by email)  
Senator Marc Basnight (by email)  
Senator Tony Rand (by email)  
Senator Katie Dorsett (by email)  
Senator Phil Berger (by email)  
Senator R.C. Soles (by email)  
Rep. Ty Harrell (by email)  
Senator David Hoyle (by email)  
House Public Utilities Committee members (by email)