

May 5, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Re: WC Docket No. 17-108. *Restoring Internet Freedom.*

Dear Chairman Pai:

The initiation of the Restoring Internet Freedom docket and release of the draft Restoring Internet Freedom Notice of Proposed Rulemaking (“*Draft Notice*”)¹ are important and positive steps towards modernizing regulations in the complex and converging broadband world. As Oracle has explained, regulatory rationalization is crucial to enabling more innovation and investment, better products and services, lower prices, more job creation, and faster economic growth.²

From our perspective as a Silicon Valley technology company,³ what should have been a purely technological discussion of managing traffic on internet networks has inexplicably evolved into a highly political hyperbolic battle, substantially removed from technical, economic, and consumer reality. Further, the stifling open internet regulations and broadband classification that the FCC put in place in 2015 – for just one aspect of the internet ecosystem – threw out both the technological consensus and the certainty needed for jobs and investment. An open internet requires a level and stable playing field and accountability for all internet actors, but these key components are lacking in the current “open internet” regime.

As an architect and provider of technologies throughout the communications stack and public internet, Oracle powers the routing and transformation of data by the many actors in the internet

¹ *Wireline Competition Bureau Opens WC Docket No. 17-108*, Public Notice, DA 17-396 (rel. April 27, 2017); *Restoring Internet Freedom*, Notice of Proposed Rulemaking, WC Docket No. 17-108, FCC-CIRC 1705-05 (rel. April 27, 2017).

² Letter from Kenneth Glueck, Senior Vice President, Office of CEO, Oracle Corporation, to Ajit Pai, Chairman, Federal Communications Commission (March 13, 2017), *attached to* Letter from Kenneth Glueck, Senior Vice President, Office of CEO, Oracle Corporation, to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 14-28; WC Docket No. 16-106; MB Docket No. 16-42; CS Docket No. 97-80 (March 13, 2017).

³ Oracle not only supplies critical components of the communications infrastructure that the *Draft Notice* will examine, it possesses tremendous knowledge about that infrastructure and deep insights about how the network works. Oracle’s systems are used in the top 20 service providers globally, supporting SS7, Diameter, and SIP infrastructures. Every day, Oracle’s software routes over one billion calls and SMS messages and more than 8.3 billion emails. Oracle understands communications from a global perspective – Oracle delivers number portability for 115 service providers in 42 countries.

ecosystem – bringing content and services to customers. The concept that traditional internet access providers are exclusively transmitting unchanged data point-to-point is foreign to our own experiences and observations.⁴ And, focusing only on traditional internet access providers ignores the largest and most dominant internet players from a consumer perspective.

Given these technical and economic realities, we applaud your leadership in considering restoration of the “information services” classification to broadband internet access service.⁵ Ensuring that the internet is open to innovation – now and in the future – requires a sensible, consistent approach to issues like consumer privacy⁶ and security, as well as protection against *any* internet player blocking or discriminating against certain online content. Reclassifying broadband internet access as an information service will eliminate unnecessary burdens on, and competitive imbalances for, ISPs while enhancing the consumer experience and driving investment. Moreover, it will restore the FTC as the impartial cop on the broadband beat with authority to reach all of the participants in the internet economy.

This debate is critical to the future of our nation’s economy and competitiveness. Policymakers finding enduring solutions to the questions that promote job creation and investment will lay the foundation for continued American broadband leadership for years to come.

Sincerely,

/s/ Kenneth Glueck
Kenneth Glueck
Senior Vice President
Office of CEO

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cc: Commissioner Mignon Clyburn
Commissioner Michael O’Rielly

⁴ *Draft Notice* ¶ 29 (observing that individual users “do not typically specify the ‘points’ between among which information is sent online”). In contrast, the definition of telecommunications is very narrow. *See* 47 U.S.C. § 153(50) (defining “telecommunications” as the “transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.”).

⁵ *Draft Notice* ¶ 55.

⁶ *See id.* ¶ 107 (“propos[ing] to return jurisdiction over Internet service providers’ privacy practices to the FTC, with its decades of experience and expertise in this area”).