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February 27, 2018

The Honorable Dannel P. Malloy  
Governor of the State of Connecticut  
State Capitol  
Hartford, Connecticut

Dear Governor Malloy:

As you know, in December of last year, the Federal Communications Commission (FCC) voted to overturn protections for a free and open internet. The rule, recently published, will allow telecommunication companies to potentially block content, extort fees from users and shrink economic opportunities for Connecticut businesses and residents. While the FCC has preempted states from overriding the ill-advised new rule, Connecticut's government can use its market power as a consumer to guarantee taxpayer dollars are not being directed to internet providers who do not meet our commonly held values.

I urge you to issue an executive order that establishes free and open internet requirements to state procurement regulations for internet service, and denies economic assistance to providers that fail to uphold those same fair and equal-access policies.

Currently, state government gives tens of millions of dollars per year to internet service providers. The state contracts for direct service, provides economic assistance and makes available an array of tax credits. Those taxpayer dollars should only be granted to internet service providers that treat all online content equally, and withheld from any service provider that has paid prioritization agreements in place.

I was encouraged by your statement following the FCC vote when you said "[o]pen internet access is essential to our economic competitiveness. This move is anti-consumer, anti-competitive, flies in the face of the best interests of the people of our nation, and will have a damaging impact on the ability of Americans to utilize the internet."

I couldn't agree more and that is why I am asking you to join the governors of Hawaii, Montana, New Jersey, New York and Vermont in signing an executive order to hold internet providers accountable to the taxpayers of our state.

Such an executive order has precedent. Governor Meskill's Executive Order No. 3 (1971) subjected state vendors to Connecticut's nondiscrimination requirements. Governor Rowland's Executive Order No. 16 (1999) mandated that all state contractors, subcontractors and vendors abide by Connecticut's Violence in the Workplace policy.

Those orders established that the companies doing business with the state must follow the fundamental principles shared by Connecticut and its citizens: inclusion, fairness and opportunity. A free and open internet is a goal consistent with the shared values of our state.

I appreciate your consideration, and stand ready to assist in any way that may be helpful.

Sincerely,



Kevin Lembo  
Connecticut State Comptroller