



Keeping Washington state net-neutral

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By Gemma Alexander (<http://stories.avvo.com/author/galexander>)

◀ 13

A free and open internet is important to all Americans, but it is critical to Washington state, where [e-commerce](https://www.avvo.com/topics/e-commerce-small-business) and technology are major components of the [economy](http://www.commerce.wa.gov/growing-the-economy/key-sectors/). Amazon and Microsoft are headquartered in Washington, and Google, Facebook, and Intel are major employers in the state. With so much of the state's economy dependent on the internet, it's no surprise that Washington officials are not quietly accepting the repeal of [net neutrality](http://stories.avvo.com/rights/net-neutrality-protecting-the-free-market.html) rules by the Federal Communications Commission (FCC). The day the FCC voted to eliminate open internet regulations, Washington's attorney general, Bob Ferguson, announced he'll file a [lawsuit](https://www.seattletimes.com/seattle-news/politics/ag-bob-ferguson-says-hell-sue-over-fccs-net-neutrality-repeal/) against the FCC – but state legislators aren't waiting for a day in court to protect net neutrality.

Legislation

Representative Drew Hansen (D) from Bainbridge Island is sponsoring [HB 2282](http://lawfilesexet.leg.wa.gov/biennium/2017-18/Pdf/Bills/House%20Bills/2282.pdf), a bill that would make it illegal for broadband internet providers in Washington state to:

- Block lawful content, applications, services, or nonharmful devices
- Engage in paid prioritization
- Interfere with end users' ability to select, access, and use broadband internet access service or content

The FCC voted to repeal net neutrality despite widespread protests from, well, just about everybody except a handful of large internet service providers (ISPs) like Comcast and Verizon, so they anticipated a lot of push back. They included language in the [repeal order](https://www.recode.net/2018/1/4/16851892/fcc-final-order-text-net-neutrality-repeal-free-internet) that [prohibits](https://www.theverge.com/2017/11/22/16691344/fcc-preempt-block-state-local-net-neutrality-laws) states and local governments from

establishing their own net neutrality protections. It's not clear whether Hansen's bill, which was submitted before the final repeal order was released, defies the FCC repeal order or sidesteps it.

Regulation

The state is hedging its bets with yet another strategy to encourage ISPs to maintain the open internet. Ferguson, together with Governor Jay Inslee, also announced [plans \(https://www.geekwire.com/2017/washington-state-leaders-announce-first-kind-plan-defend-net-neutrality-constituents/\)](https://www.geekwire.com/2017/washington-state-leaders-announce-first-kind-plan-defend-net-neutrality-constituents/) to direct the state's Utilities and Transportation Commission (UTC) to establish a net-neutral certification for internet companies. Certification would be required to access state benefits like [easements \(https://www.avvo.com/topics/easements-and-land-use-law\)](https://www.avvo.com/topics/easements-and-land-use-law) and use of UTC poles.

Congressional action

ISPs have predictably argued that the open internet is not threatened by the repeal of net neutrality rules. With somewhat stronger logic, the FCC and ISPs have also denounced state efforts to legislate net neutrality as likely to create a [hodgepodge \(https://www.recode.net/2017/12/14/16777356/full-transcript-ajit-pai-brendan-carr-fcc-statements-net-neutrality-repeal\)](https://www.recode.net/2017/12/14/16777356/full-transcript-ajit-pai-brendan-carr-fcc-statements-net-neutrality-repeal) of regulations that will impact service quality – the exact circumstance that federal regulations are supposed to prevent. In Congress, Washington's junior senator, Maria Cantwell (D), has [announced \(https://www.cantwell.senate.gov/news/press-releases/cantwell-responds-to-fcc-net-neutrality-decision-with-legislation-to-block-repeal-of-open-internet-rules\)](https://www.cantwell.senate.gov/news/press-releases/cantwell-responds-to-fcc-net-neutrality-decision-with-legislation-to-block-repeal-of-open-internet-rules) a plan to introduce a Congressional Review Act (CRA) resolution to undo the repeal and restore the 2015 net neutrality rules.

Washington's elected officials are determined to keep the internet open by any means necessary, whether by lawsuit, local regulation, or act of Congress.

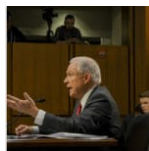
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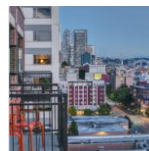
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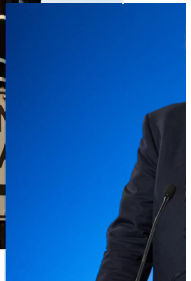
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About Gemma Alexander

Gemma Alexander is a Seattle-based freelance writer specializing in technical topics for general readers. She holds a degree in Horticulture and has worked in a genetics lab and at a landfill. See other things she has written [here](https://gemmadeealexander.wordpress.com/).
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