

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
 )  
Protecting and Promoting the ) WC Docket No. 14-28  
Open Internet )  
 )

**COMMENTS OF THE NATIONAL ASSOCIATION OF REALTORS®**

**I. INTRODUCTION**

The National Association of REALTORS® (NAR) appreciates the opportunity to comment on the FCC’s Open Internet proposed rulemaking. The Internet has been a driving force for innovation for decades, and NAR’s members, their clients, and local communities are benefiting from this innovation every day. The economic growth and job creation fueled by the open Internet is unprecedented in American economic history. For over a decade, the Federal Communications Commission (FCC), under both Republican and Democrat administrations, has fostered this growth.

NAR’s members, who identify themselves as REALTORS®, represent a wide variety of real estate industry professionals. REALTORS® were early adopters of technology and are industry innovators who understand that consumers today are seeking real estate information and services that are fast, convenient and comprehensive. In addition, the overwhelming majority of REALTORS® operates small businesses, typically with no more than two principals. Increasingly, technology innovations are driving the delivery of real estate services and the future of REALTORS®’ businesses.

Streaming video, Voice over Internet Protocol, and mobile applications are commonly used technologies in our businesses today. In the future, new technologies, like virtual reality and telepresence among others, will be available that will no doubt require open Internet access.

## **II. THE COMMISSION SHOULD ADOPT RULES THAT PROTECT THE OPEN INTERNET, ENSURE EQUAL ACCESS AND ENCOURAGE SMALL BUSINESS AND INNOVATION**

The recently struck down non-discrimination and no-blocking rules allow ISPs to engage in anticompetitive practices that are contrary to longstanding principles underlying the Open Internet rules. A clear regulatory framework is needed to ensure that an affordable, reliable and accessible Internet remains available to small businesses and continues to foster innovation and economic growth.

The Commission's proposed rules would permit providers of Internet access to negotiate "individualized, differentiated arrangements with similarly situated edge providers" subject merely to a commercial reasonableness standard. As proposed, these rules would radically change the *status quo* for the Internet and lead to considerable uncertainty, increased costs, and new competitive disadvantages to small and new businesses across the entire economy.

The Commission should reject rules that would permit discrimination via "paid prioritization" and blocking and should instead maintain the open level playing field for content providers that has been the status quo for the past two decades.

## **III. OPEN INTERNET PROTECTIONS SHOULD BE EXTENDED TO WIRELESS SERVICES**

REALTORS® know first hand that mobile technology is critical to their economic success. They have observed first hand that their business is increasingly conducted over mobile devices outside of a traditional office. In a study conducted this year, NAR learned that REALTORS® spend a median 44 percent of their time corresponding with and conducting business for their clients on mobile devices. Ninety-four percent communicate with clients using a mobile device.<sup>1</sup>

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<sup>1</sup> 2013-14 that REALTOR® Technology Survey Report, p. 18-19 Center for REALTOR® Technology

This trend will continue and magnify in the future. For this reason, NAR believes that it no longer makes sense for the Commission to differentiate between wireless and fixed wireline technologies. Wireless mobile devices must enjoy the same protections from discrimination, blocking and access fees that we urge the Commission to implement for fixed wireline telecommunications services.

#### **IV. CONCLUSION**

The benefits of broadband Internet for innovation and economic development are unparalleled. But the nation will lose those tremendous benefits if the Internet does not remain an open platform, where Americans can innovate without permission and with low barriers to launching small businesses and creating jobs. Given this reality, it is important that this Commission work to enact and preserve open Internet policies that promote competition between Internet application and service providers. NAR is ready to work with the Commission on this important issue.

Respectfully Submitted,

National Association of REALTORS®



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