



NATIONAL ASSOCIATION OF REALTORS®

*The Voice For Real Estate®*

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January 14, 2010

Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554  
Attn: Office of the Secretary

*Delivered via Electronic Comment Filing System (ECFS)*

Re: GN Docket No.09-191, WC Docket No. 07-52

Dear Federal Communications Commission,

The NATIONAL ASSOCIATION OF REALTORS® (“NAR”) respectfully submits the following comments in response to the Commission’s Notice of Proposed Rulemaking entitled “Preserving the Open Internet” and “Broadband Industry Practices.”

For NAR’s 1.2 million members, the business of real estate is increasingly conducted on-line. Streaming video, virtual tours, voice-over-internet-protocol, interactive transaction management systems and wireless smart phones are just some of the technologies that are commonly used by Realtors® today. In the future, new technologies will be adopted that will only increase our members’ reliance on the availability of fast, efficient and cost effective access to broadband services.

The Internet has become an indispensable tool in the home buying and selling process. In fact, the *2009 NAR Profile of Homebuyers and Sellers* found that one-third of homebuyers begin their property search by looking for properties online. For buyers under the age of 44, that figure jumps to half of all homebuyers. Ninety percent of all home buyers used the Internet to search for homes and ninety percent of sellers reported that their home was listed or advertised on the Internet. These statistics point out how essential the Internet is to consumers and the real estate industry. Realtors® are important Internet content providers to the home buying public. As a result, access to fast, efficient and cost effective internet service is critical to the real estate industry.

NAR supports the FCC’s proposal to codify its existing four internet freedom principles of Access, Applications, Connection and Competition. We also support codifying the two additional principles of Nondiscrimination and Transparency. Codifying these principles will create certainty for consumers, network

operators and content providers alike. We agree that proposed principles should apply to all providers of broadband internet access regardless of the technology over which the service is delivered.

It is important to recognize that consumers do not subscribe to Internet service merely for the connection the internet service provider “ISP” provides. It is the applications, services and content that many, including NAR members, contribute that makes the Internet connection valuable. For this reason, the absence of reasonable non-discrimination rules risks depressing investments made in applications and content markets. Open Internet rules maximize the value of the Internet for content providers and Internet users and encourages the future growth of a vibrant Internet.

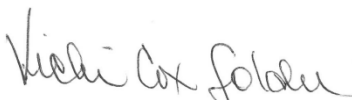
As Internet use expands to include video, voice and other advanced services, the need for uninterrupted streams of data becomes increasingly important. Network management is a necessary and important component of the efficient operation of the Internet. However ISPs should not be permitted to use the cloak of “network management” to engage in anti-competitive behavior such as degrading service to particular applications or blocking content from lawful providers. Network management practices should be transparent to consumers.

Requiring ISPs to disclose the limitations of their networks and would provide consumers with meaningful information that enables them to make informed purchasing decisions. Codifying transparency rules will help to ensure competition among competing network platforms. Consumers need a clear way to compare network offerings among DSL, cable and wireless industries.

Wireless technologies are increasingly important to the business of real estate. Consumers can now find home listings on their smart phones and more and more components of the real estate transaction are certain to migrate to the wireless platform over time. For this reason NAR supports the Commission’s proposal that open Internet principles should be applied to wireless Internet access services in the same manner as to wired. Realtors and the consumers they serve do not differentiate between the wired Internet and the wireless Internet. The FCC should treat both wired and wireless networks with the same regulatory framework.

NAR applauds the FCC for its important effort to preserve a free and open Internet that will encourage commerce and innovation. Thank you for the opportunity to comment on this very important issue. If you have any questions or concerns, please do not hesitate to contact Melanie Wyne at (202) 383-1234 or [mwyne@realtors.org](mailto:mwyne@realtors.org).

Sincerely,

A handwritten signature in cursive script that reads "Vicki Cox Golder".

Vicki Cox Golder, CRB  
2010 President, NATIONAL ASSOCIATION OF REALTORS®