

Attorney General Denn Joins Suit To Stop Rollback of Net Neutrality

Coalition of 22 Attorneys General Files Petition for Review, Formally Commencing Lawsuit

Attorney General Matt Denn on Tuesday joined a coalition of 22 Attorneys General in filing a multistate lawsuit to block the Federal Communications Commission's rollback of net neutrality. The coalition filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit, formally commencing the lawsuit against the FCC and the federal government.

The repeal of net neutrality would have dire consequences for consumers and businesses in Delaware and across the country by allowing internet service providers to block certain content, charge consumers more to access certain sites, and throttle or slow the quality of content from content providers that don't pay more.

"The free and open internet has become a backbone to the way our people, our business and our society work, learn and live," Attorney General Denn said. "The FCC not only made the wrong decision, they made it in a flawed way, so my fellow Attorneys General and I will work to reverse it through this action."

Under the Administrative Procedure Act, the FCC cannot make "arbitrary and capricious" changes to existing policies, such as net neutrality. The FCC's new rule fails to justify the Commission's departure from its long-standing policy and practice of defending net neutrality, while misinterpreting and disregarding critical record evidence on industry practices and harm to consumers and businesses. Moreover, the

rule wrongly reclassifies broadband internet as a Title I information service, rather than a Title II telecommunications service, based on an erroneous and unreasonable interpretation of the Telecommunications Act. Finally, the rule improperly and unlawfully includes sweeping preemption of state and local laws.

The lawsuit includes the Attorneys General of New York, California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

The full petition can be found [here](#).