

April 24, 2025

Senator Mark Lawrence, Senate Chair
Representative Melanie Sachs, House Chair
Joint Standing Committee on Energy, Utilities and Technology
100 State House Station, Augusta, Maine 04333

RE: Oppose LD 536

Dear Committee Members:

USTelecom – The Broadband Association (“USTelecom”)¹ and its members, America’s innovative broadband providers, are very committed to maintaining an open internet and delivering resilient and reliable broadband internet service to their hundreds of thousands of Maine consumers. The broadband industry has invested more than \$2.2 trillion² in network infrastructure throughout the country since 1996—with approximately \$94.7 billion invested in 2023 alone—and USTelecom members are among the country’s top investors.

Given this impressive track record, Maine should not adopt the proposed provisions in LD 536 as they would hinder the ability of our members to continue delivering affordable high-speed connectivity to consumers. Broadband providers have long stood by their public commitments not to block, throttle, or engage in paid prioritization. Broadband customers demand it, and our members’ businesses depend on it. That is because competitive alternatives enable customers to abandon a broadband provider that attempts to interfere with their ability to use the internet.

Neither the Maine legislature, nor the 49 other state legislatures, are the proper vehicles for net neutrality legislation. Indeed, FCC decisions, on a bipartisan basis, have consistently preempted state attempts to impose separate conflicting state net neutrality regulations and any action must be taken by the federal government given that broadband is an inherently interstate service. A patchwork of state-by-state net neutrality laws would be burdensome for providers and a hindrance to the vibrant, growing broadband marketplace.

The approach proposed in LD 536 is particularly concerning as it includes a private right of action. This would lead to consumers, in addition to the Attorney General, attempting to interpret and apply the provisions in the legislation, further hampering the growth of the internet.

¹ USTelecom is the premier trade association representing service providers and suppliers for the communications industry. USTelecom members provide a full array of services, including broadband, voice, data, and video over wireline and wireless networks. Its diverse membership ranges from international publicly traded corporations to local and regional companies and cooperatives, serving consumers and businesses in every corner of the country.

² USTelecom, 2023 Broadband Capex Report, October 18, 2024; available at: <https://ustelecom.org/broadband-companies-invested-94-7b-in-u-s-communications-infrastructure-in-2023-second-highest-annual-capex-in-22-years/>

For these reasons, USTelecom urges lawmakers to oppose LD 536.

Sincerely,

/s/ B. Lynn Follansbee

B. Lynn Follansbee
Vice President
USTelecom – The Broadband Association