



In order to help the FCC gather relevant and in-depth analyses, DPI hereby enters into the record of this proceeding some insightful and relevant research. Three of the documents we are submitting into the record today are from The Phoenix Center for Advanced Legal Economic and Public Policy Studies; the other document being submitted was produced by Adonis Hoffman of Business in the Public Interest.

The research by Dr. George S. Ford of the Phoenix Center, *A Further Review of the Internet Association's Empirical Study on Network Neutrality and Investment*, dated August 14, 2017, supplements a prior Phoenix critique (dated July 24, 2017) of a report authored by Dr. Christopher Hooton of the Internet Association on the impact of Net Neutrality regulation on broadband infrastructure investment. In these Phoenix critiques, both accompanying these DPI Reply Comments, Dr. Ford points out numerous and serious flaws with Dr. Hooton's analysis.

A third research document from the Phoenix Center, and submitted today by DPI, was authored by Larry Spiwak. Titled *The Law, the Public Interest, and the FCC—A Critique of Title II Comments from Eleven Democratic Congressmen*, the Spiwak research examines these Congressmen's claims that the Commission "fundamentally and profoundly misstates the law" in its Restoring Internet Freedom NPRM. Spiwak suggests that the plain language of both the Communications Act of 1934 and the Telecommunications Act of 1996, along with the extensive case law interpreting these statutes, undermines these claims.

The research by Hoffman, *What are Consumers So Mad About? A Closer Look at FCC Consumer Complaints*, examines FCC-published consumer complaint data from the agency's Consumer Complaint Data Center. The Hoffman research concludes that Americans are vastly more concerned with issues

such as unwanted calls, billing problems and service problems, than they are with the issue of Net Neutrality.

DPI appreciates this additional opportunity to expand the record in this all-important Commission proceeding. We trust that the material we are providing today will help guide the agency as it fashions a both economically-sound and legally-sound decision.

Respectfully submitted,

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