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AG Balderas & Coalition of 23 AGs Commence Lawsuit to Block Illegal Rollback of Net Neutrality

Albuquerque, NM – Attorney General Hector Balderas and a coalition of 23 attorneys general filed a petition today to formally commence their lawsuit against the Federal Communications Commission’s illegal rollback of net neutrality. The coalition filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit after the FCC published the final rule rolling back net neutrality in today’s Federal Register.

“I will continue to fight aggressively to stop the FCC’s blatant, un-American attack on a free and open internet. We must protect vulnerable New Mexican consumers, families, and small businesses to ensure that everyone has fair and equal access,” said Attorney General Hector Balderas.

The repeal of net neutrality would have dire consequences for consumers and businesses in New Mexico and across the country that rely on a free and open internet – 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.

As the Attorneys General will argue in their suit, under the Administrative Procedure Act the FCC cannot make “arbitrary and capricious” changes to existing policies, such as net neutrality. The FCC’s 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.

[Click here to read the petition.](#) The lawsuit was filed by Balderas and the attorneys general of California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New York, New Jersey, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

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