



RESOLUTION NO. 39902

1 BY REQUEST OF MAYOR STRICKLAND AND COUNCIL MEMBERS CAMPBELL,
2 IBSEN, AND MELLO

3 A RESOLUTION related to Click! Network; urgently requesting the Tacoma
4 Public Utility Board to contractually require all internet service providers
5 using Click! Network to abide by the Click! Network Open Internet Policy
6 supporting net neutrality.

7 WHEREAS the City of Tacoma, Department of Public Utilities, Light
8 Division (d.b.a. "Tacoma Power") owns a hybrid fiber-coaxial ("HFC")
9 communications network that delivers cable television, broadband internet, and
10 other services within Tacoma Power's service area through its
11 Telecommunications Section, Click! Network (d.b.a. "Click! Network"), and

12 WHEREAS, as a result of prior policy decisions, Tacoma Power provides
13 wholesale broadband internet service to local Internet Service Provider ("ISP")
14 companies, which, in turn, retail the broadband internet service to end-use
15 customers, and

16 WHEREAS Click! Network has adopted an Open Internet Policy
17 supporting the principles of net neutrality; specifically, Click! Network does not:
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- 19 • Discriminate among specific uses, or class of uses, on its network
- 20 • Impair, degrade, or delay VoIP applications or services that compete
21 with its video services or services of its affiliates
- 22 • Impair, degrade, delay or otherwise inhibit access by customers to
23 lawful content, applications, services, or non-harmful devices
- 24 • Impair free expression by slowing traffic from certain websites
- 25 • Demand pay-for-priority or similar arrangements that directly or
26 indirectly favor certain traffic over other traffic



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- Prioritize its own applications, services, or devices or those of its affiliates
- Block lawful content, applications, services, or non-harmful devices, subject to reasonable network management as defined below and in its Acceptable Use Policy, and

WHEREAS the United States Federal Communications Commission (“FCC”) has repealed existing federal regulations requiring ISPs to abide by net neutrality principles, and

WHEREAS the City Council fully supports the Click! Network Open Internet Policy and wants to ensure that ISPs using Click! Network are contractually bound to abide by the Click! Network Open Internet Policy to ensure that users of Click! Network are not adversely impacted by the actions taken by the FCC; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Council hereby urgently requests that the Tacoma Public Utility Board require Click! Network to include in all contracts with current and future ISPs, as a condition to use Click! Network, that the ISPs abide by the Click! Network Open Internet Policy.



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Section 2. That the proper officers of the City are hereby authorized to enter into contracts with ISPs to implement the intent of this resolution.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney