

July 18, 2012

Chairman Julius Genachowski
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Letter, CG Docket No. 09-158, CC Docket No. 98-170, WC Docket No. 04-36

Dear Chairman Genachowski,

Open data and an independent, transparent measurement framework must be the cornerstones of any scientifically credible broadband Internet access measurement program. The undersigned members of the academic and research communities therefore respectfully ask the Commission to remain committed to the principles of openness and transparency and to allow the scientific process to serve as the foundation of the broadband measurement program.

Measuring network performance is complex. Even among those of us who focus on this topic as our life's work, there are disagreements. The scientific process happens best in the sunlight and that can only happen when as many eyes as possible are able to look at a shared set of data, work to replicate results, and assess its meaning and impact. This ensures the conclusions from the broadband measurement allow for meaningful, data-driven policy making.

Since the inception of the broadband measurement program, those of us who work on Internet research have lauded its precedent-setting commitment to open-data and transparency. Many of us have engaged with this program, advising on network transparency and measurement methodology and using the openly-released raw data as a part of our research.

However, we understand that some participants in the program have proposed significant changes that would transform an open measurement process into a closed one. Specifically, that the Federal Communications Commission (FCC) is considering a proposal to replace the Measurement Lab server infrastructure with closed infrastructure, run by the participating Internet service providers (ISPs) whose own speeds are being measured.

In order for the scientific process to work, measurement data must be openly available as well as access to methodologies, and explicit cataloging of assumptions is essential if results are to be confirmed and replicated. A switch from an open to a closed infrastructure makes this process impossible or, at best, questionable.

We strongly oppose any decision by the FCC to run a closed measurement program. We urge the managers of the program to reconsider any steps to run measurement tests over closed infrastructure. If expansion of the current infrastructure is needed, those wishing to provision measurement servers should be encouraged to contribute resources to the Measurement Lab Consortium. Measurement Lab is a research network, and operates its servers in a consistent, openly documented manner. This ensures comparable, credible data, and enables the research community to put our faith in the measurement results, and to stake our professional reputations

on conclusions based on the data.

Respectfully submitted,

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