

TO: Federal Communications Commission
FR: Erin McKeown
RE: Comment on Net Neutrality/Preserving the Open Internet NPRM (09-191)
DT: January 8, 2010

Hello, FCC! My name is Erin McKeown, and I have been a professional musician, writer and producer for the last 14 years. I'm 32 and currently live in rural western Massachusetts, but my career has taken me all over the world, playing an estimated 200 gigs per year.

In those 14 years, I have recorded ten albums and EPs for a variety of labels. I began on my own, releasing my music via the internet and touring while I was still an undergrad at Brown University. From there, I signed to a small independent label, Signature Sounds in 1999, a mini-major, Nettwerk, in 2002, and I am currently with the indie label Righteous Babe Records. Along the way, I have performed on "Late Night with Conan O' Brien," "Later with Jools Holland" and have been featured in the London Times, the New York Times, People Magazine, Entertainment Weekly, on NPR and many other fine radio stations at home and abroad.

As an independent artist with a committed fanbase, the internet is the engine that powers my career. I use it to disseminate information to my fans (tour dates, record releases, etc.), maintain a virtual storefront for my music and other merchandise, and interact with fans via my blog, social networks and my youtube channel. I communicate with my support team — agent, manager, label, etc. — mainly via the internet and use my website both publicly and privately to present new work, move large files, and facilitate business transactions. I have more than a thousand Twitter followers, more than 2,500 Facebook fans and an email list of over 10,000. To me, this represents the power of an independent artist to reach audiences across multiple platforms, all made possible by the internet.

This summer, I used the internet for a very specific project in support of my latest album. "Cabin Fever" was a series of "house concerts" that allowed me to continue to connect with fans, offset my recording debt and contribute to a broader conversation about how the internet fits into our daily lives. For the series, we broadcast live over the web from my house in rural western Massachusetts. Fans could subscribe to the series, or purchase individual episodes to watch live or later on-demand. In passing the "virtual hat," I connected to the longstanding tradition of communities coming together to support art. Each concert had a specific theme and location: my living room, my porch, my river and my front yard. Fans could chat with each other as they watched and even send in requests. In his keynote speech at the 2009 Future of Music Policy Summit, FCC Chairman Genachowski highlighted my "Cabin Fever" series as one of the most creative ways that musicians were pushing the boundaries of the internet for communication, commerce and creativity.

I began my career in 1996, right as the internet was becoming widely available and affordable. My career has never existed apart from this technology and I often feel that

the internet and I gone through some growing pains together. For as much as the internet has made communication with fans easier, self-promotion easier, access to music and video easier, it has also created an extremely crowded marketplace. As a 21st-century artist, it is a greater challenge to find and retain a mass audience than perhaps my predecessors experienced. That said, I now have more tools, direct access to my fans and many more creative options to express myself via the internet than ever before. And I don't need to depend on outside entities to determine how and when I communicate with audiences.

As a copyright owner and someone who makes a substantial portion of their income from record sales, the rise of illegal filesharing via the internet has had a direct and detrimental affect on my bottom line. However, I view with great dismay some of the tactics that ISPs, record labels, and copyright owners employ to disproportionately punish illegal downloaders. I believe we should shift the debate and resources away from punishing and policing and more toward the question of "how can we make being a creative person a viable vocation?" I do not think illegal downloading of content can be currently mitigated in any way that doesn't impact privacy, fair use and the lawful exchange of material — audio, or otherwise. Future policy should not be guided by punitive or restrictive approaches, but rather by answering a basic question: does the policy inhibit expression and the cultural/economic potential of creative people?

Another important point to consider is access. For me, it's a twofold question: how do I get online at home and how do I get online when traveling? At home, I currently use DSL bundled with my phone. My other ISP options would be cable or satellite. But do not own a TV, so DSL was the most affordable and appropriate option. However, in making that decision, I did not have any choice as to a DSL provider. I have regularly experienced issues with the quality of my connection, and, living in a rural area, resolution of these problems has been slow. I know people just a few miles down my road who still don't have access to high-speed internet at all. There is also no wireless coverage where I live. I don't think that a creative person or any other entrepreneur should be forced to relocate simply because they lack a connection to such a vital communications platform.

My life on the road is a different story. Internet access when traveling is a must. So much of my business requires constant communication that I've become my own office and I require connectivity at all times. I choose to use an iPhone with a data package which has been extremely helpful, otherwise I end up at the mercy of a hotel that often charges charge me \$25/day for slow internet (and even more for better speeds). Only in emergencies will I pay that much for internet, and even then it seems overpriced. For moving large files and activities like updating my website, I often find myself hoping that a venue will have a free wireless network that I can connect to. If I cant find anything else I will find a cafe, but it is not my preference.

Moving forward, it is vital that we expand broadband internet access to as many people as possible, regardless of location and socioeconomic status. As more of the world functions "virtually," we run the risk of leaving behind vast segments of our own society. We should spend the money now, lest we end up spending lots more down the road. Why

create a digital underclass, when we have the option not to?

I also believe that net neutrality principles should apply to the wireless space. A different and perhaps conflicting set of rules for those two platforms would only result in more ways for companies to take advantage of consumers. I am suspicious of the argument that net neutrality would somehow "inhibit competition"— as I see it, there's not a lot of competition to begin with. Net neutrality rules would be necessary and positive provisions that would encourage innovation and protect consumers (and creators') right to expression.

In fact, I often think of "access" on the internet as equivalent to "speech" in the Constitution. Where we can freely access the internet, where we can speak freely, read freely, educate ourselves and others without interference, we engage in the same democratic process inspired the vibrant and diverse country in which we live. The internet as it was conceived is a democratic place, allowing equal access to information.

Unfortunately, this isn't always the case in practice. Just as not everyone in this country gets a fair shake, not everyone has the same level of access to the internet. But if it can't be a truly free marketplace of ideas, then at least we should know what the rules are. An internet user is a consumer of information, and as such should be afforded the same protections and level of transparency that we'd expect to be placed on any other product. Net neutrality rules would be a major step forward in guaranteeing that all users — creators, innovators, small businesses and regular citizens — have the means to compete in a legitimate marketplace that isn't slanted to favor only the powerful players.

As the internet continues to grow and evolve, I thank you for your efforts to keep maintain its openness and transparency.