

In the City Council, February 4, 2021

Upon the Recommendation of Councilor Gina-Louise Sciarra, Councilor William H. Dwight and Councilor James Nash

21.193 A Resolution Opposing Internet Data Caps & Committing to Achieving Just Internet Access and Affordability

WHEREAS, the internet has become a critical utility for individuals, families, businesses and government, and

WHEREAS, during the COVID-19 pandemic internet access has become even more essential to safely participate in education, earn a living, obtain healthcare, connect with family, friends, and community, and participate in local government, and

WHEREAS, Northampton residents are primarily served by Comcast/Xfinity for their internet service, and

WHEREAS, Comcast/Xfinity has announced for the first time the imposition of a “data-cap¹” beginning in the spring of 2021, that will place a limit on the amount of data an internet consumer may utilize before facing additional charges for internet service, and

WHEREAS, data-caps have no purpose for the consumer. They do not address network traffic or peak time capacity, as they are based on a monthly total of usage. Their irrelevance was proven by Comcast when they suspended already existing data-caps in other parts of the country from the beginning of the COVID-19 pandemic to July 2020 without detriment to the network, and

WHEREAS, the rising cost of internet access, unimpeded by lack of market competition and the increased service demand during the pandemic, is of concern to residents across Northampton, and

WHEREAS, on December 31, 2020 a group of seventy-one Massachusetts legislators sent a letter to Comcast/Xfinity urging them to reconsider their decision to impose this data-cap², and

¹ Butz, Greg. “Our Nationwide Data Plan,” *Comcast Corporate*. Nov 24, 2020.

<https://corporate.comcast.com/stories/our-nationwide-data-plan>

² Bray, Hiawatha. “Mass. lawmakers oppose Comcast’s plan to charge home Internet users extra: fee for exceeding data cap is at odds with life during pandemic, they say.” *Boston Globe*. December 31, 2020. <https://www.bostonglobe.com/2020/12/31/business/mass-lawmakers-warn-comcast-new-data-caps/>

WHEREAS, as is the case with all essential utilities, the City of Northampton has a responsibility to ensure affordable access to all residents,

NOW, THEREFORE BE IT RESOLVED, that the Northampton City Council urges Comcast/Xfinity to reverse their decision to impose a data-cap on customers, and

BE IT FURTHER RESOLVED, that the Northampton City Council urges our state and federal legislative delegations to consider consumer protection legislation to regulate and end data-caps, and

BE IT FURTHER RESOLVED, that the Northampton City Council commits to evaluating internet services moving forward with the goal of ensuring all residents have equitable and affordable options to necessary high quality internet, and

BE IT FURTHER RESOLVED, that the City of Northampton shall continue to explore just and fair alternative internet service systems for the vital use of the entire community.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to the Federal Communications Commission, Senator Elizabeth Warren, Senator Edward Markey, Congressman Jim McGovern, State Senator Jo Comerford and the State Representative Lindsay Sabadosa.