

**Before the
Federal Communications Commission**

In the Matter of

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**Protecting and Promoting the
Open Internet**

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GN Docket 14-28

Reply Comments of Badger Maps, Inc.

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I. Badger Maps Makes Sales more Efficient

Badger is a virtual Swiss Army Knife for salespeople in the field: we put every tool a salesperson needs in one sleek package. We unlock the data already collected by a company's Customer Resource Management (CRM) software, process it, and display it in a format that appeals to salespeople on the move: an interactive map. Badger includes features for planning schedules, optimizing routes, and generating leads. With Badger, workers can make faster, better decisions about where they should go and how they should spend their time.

The Badger Map has had a real impact on the business community. Though CRMs contain large quantities of important information, they often fail to reach salespeople. Because Badger presents customer data on a salesperson's mobile device, in such an appealing way, companies have measured a 30% rise in CRM usage with Badger. Reps using The Badger Map get 25% more meetings with customers and spend 20% less time driving.

In 2013, Badger was nominated as one of the "Top 20 G-Startups" at Silicon Valley's largest mobile expo with other 10,000 developers, executives, startups and investors from over 60 countries. We completed Stanford's StartX Accelerator program, and also the Alchemist Accelerator program.

With each day, we strive to continue to grow and provide mobile sales teams with the best data available. As the number of mobile workers continuous to grow, our company continues to grow. We currently have 10 dedicated employees supporting our 130 customers with 570 individual users.

II. We Could Have Never Founded this Company Under the FCC's Proposal

When we were founded in 2012 our three founders—Steven Benson, Aaron Tolson and Gady Pitaru—pulled together financing from our own pockets. We hired engineers and started to build a product. Our first customers would not have been interested in our product if it were slower.

And we couldn't have paid extra to an ISP for a fast lane. So in this particular case, not making ISP's a regulated utility would have stifled innovation.

There are a lot of costs to starting a business, and investors and venture capitalists are only interested in funding certain types of businesses. An entrepreneur needs to pay peoples salaries, pay for servers, buy software, pay for space to house workers, buy Ramen and peanut butter, etc. So by adding another cost—paying off Internet service providers, to keep them from putting a gun to companies' heads—you will get less innovation in the American economy.

III. The FCC's Proposal Threatens Our Company's Future

Our software is delivered over the Internet to mobile workers. These users depend on Badger to help them plan and schedule their time every day. What affects us, affects our users' bottom lines. Under the FCC's proposal we would not be able to provide the services we currently provide. Because our software depends on quick and efficient updates, the ISPs would force our hand and require us to invest in the fast lanes.

Badger hopes to expand our current user base of 130 companies to 600 within the year. We have plans to hire about 15 people—mostly salespeople and engineers. However, we would be unable to continue to develop our services and grow if the FCC's proposal were implemented. We would be forced to divert our investments from business development and hiring to paying ransom to the Internet service providers. Technical discrimination via fast lanes allows Internet service providers to put a gun to people's head and make them pay up to use the Internet.

Badger was created as a response to a specific need in the sales market. We hope to continue to grow and meet the expanding needs of our users. Without net neutrality and under the FCC's proposal cable and phone companies will stifle innovation. Competitors and potential competitors would be able to cut off startups like us by paying into the fast lanes.

IV. The “Commercial Reasonableness” Standard Will Not Help Us At All

Under the FCC’s proposal, cable and phone companies can and will make preferred deals with the companies that can afford to pay high fees for better service. They will make exclusive deals and relegate competitors to slow lanes. This standard does not take into account whether the prices are nondiscriminatory; in fact, it makes discrimination the rule.

The commercial reasonableness standards gives smaller companies like ourselves no level of comfort. There is no doubt that companies will exploit the rules and argue that their actions are commercially reasonable. That is a fight we will lose. While the Verizons and Comcasts of the world can afford thousand-dollar-an-hour lawyers, companies like Badger cannot.

We need complete network neutrality supported by the Federal Communications Commission. We need bright-line rules that prohibit blocking, technical discrimination, paid prioritization, and access fees, applied to fixed and mobile connections. In order to implement net neutrality, the FCC must classify ISPs under Title II of the Communications Act.

Badger Maps and other startups cannot pick legal fights with giant companies that will have the ability to arbitrarily turn our lights on and off. This is like telling the electricity companies that they have the ability to give me or one of my competitors reliable energy, while they give the other unreliable energy. I have personally spent months at a time, living and working in countries that have unreliable infrastructure—trust me, it’s really bad for the economy. You don’t want to allow them to impose their will to maximize their profits, at the expense of the American economy. We need an open Internet for the economy to prosper.

Respectfully submitted,

Steve Benson
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Badger Maps, Inc.