



The Internet Association: FCC Comments on Net Neutrality

Frequently Asked Questions

What is Net Neutrality?

Since its inception, the Internet has been governed by principles of openness and non-discrimination. Net neutrality is the legal principle that underpins the free and open Internet as we know it today. In its simplest terms, it means that broadband gatekeepers – Verizon, Comcast, AT&T, and other Internet service providers (ISPs) – should treat all Internet traffic equally and not discriminate between different bits of data. That’s how the Internet works today: users can go to any website and access any type of content, whenever they want.

What is at stake?

Quite simply, the future of the Internet as we know it. Because of a recent court ruling, for the first time, there are no rules to protect Internet users from broadband gatekeepers discriminating among content providers and harming users. From its inception, the Internet was built on an open architecture that fosters innovation and empowers user choice. The Internet Association stands with Internet users to protect the Internet we know and love.

Innovative and exciting Internet companies and content are what drives broadband adoption. Internet users who buy broadband do so with the understanding that they can choose to go anywhere they want to, whenever they want to on the Internet. That relationship is more than simply a commercial understanding; it is a universally shared value among Internet users. Replacing the Internet’s open, non-discriminatory model with a system of tolls and fees will invite a swift and severe backlash from the online community.

What is The Internet Association proposing in its comments to the FCC?

The Internet Association’s comments to the FCC on Net Neutrality can be summarized into three simple takeaways:

1. Internet Users Should Get What They Want, When They Want It

The Internet should be a place free from censorship, discrimination and anticompetitive behavior, protected by simple and enforceable rules that ensure a consumer’s equal access to the content they want.

2. Internet Users Should Get What They Pay For

Broadband subscribers should get the bandwidth they are paying for – content should be treated equally, without degradations in speed or quality. No artificial slow lanes.

3. Networks Should Have Equal Protection

No matter how users choose to connect to the Internet, net neutrality rules should apply universally on both wireless and wireline networks.



What do these takeaways mean in practice?

Net Neutrality rules must be enforceable and ensure non-discrimination, no-blocking, and transparency.

- **Enforceable**: A means to ensure that broadband gatekeepers abide by the rules of the road, and penalties for non-compliance.
- **Non-discrimination**: Treat all Internet traffic equally and do not discriminate between different bits of data.
- **No-blocking**: Clarify the no blocking rule to prevent the prioritization of applications by broadband Internet access providers on non-congested networks.
- **Transparency**: Given the confidential treatment of network deployment and operations by broadband Internet access providers' network, it is difficult to determine the precise causes of network congestion. This allows broadband Internet access providers to hide congestion-by-design tactics, both from the edge providers with whom it then seeks to negotiate access tolls, as well as from the FCC. Enhanced disclosure requirements will help alleviate some of these issues.

Net Neutrality rules should apply universally on wireline and wireless networks.

The FCC should eliminate the distinction between wireline and wireless in its 2010 Open Internet Order. To the extent wireless networks are constrained by bandwidth, the FCC's existing exception for reasonable network management provides sufficient flexibility.

Internet traffic must be protected at every point on a broadband network.

The Internet Association believes that users should have a comparable web experience, without regard to which service they access or which broadband (or mobile) platform they use. To that end, interconnection should not be used as a choke point to artificially slow traffic or extract unreasonable tolls from over-the-top providers. If this were to occur, interconnection fees could create the same consumer harms as paid prioritization in the last mile. This could be accelerated if ISPs were to let transit links degrade over time, forcing more companies to pay more money to interconnect directly. Users could effectively end up with a 'fast' lane and a 'slow lane, despite the fact they are paying for the same quality and speed of broadband service, based on whether companies are willing and able to pay such additional interconnection fees.

Internet users should get what they pay for from broadband providers.

Prohibit broadband Internet access providers from charging a content, application, or service provider for prioritized access to the subscribers of the broadband service. Internet users, including content and application providers, use and develop products designed to work on the



open, best-efforts Internet. Broadband subscribers should get the speed and quality they are paying for.

Why does the FCC need to take action?

The decentralized and open model is the “secret sauce” of the Internet. It has unleashed unprecedented entrepreneurialism and creativity. Because of its unique nature, free from the control of any government or corporation, the Internet has been a laboratory for invention and innovation. It’s nearly non-existent barriers to entry is why the Internet is home to the most exciting new businesses and ideas. A free and open Internet has spawned thousands of new companies, concepts, markets and ways of doing business. Along the way, Internet companies have been significant drivers of economic growth and job creation. Recent court rulings have placed the Internet’s open model at risk, and the FCC must take action to protect it.

Does The Internet Association support Title II reclassification?

The FCC must use its full legal authority to enforce rules that lead to an open Internet — nothing should be taken off the table as this discussion evolves. The Internet Association is committed to protecting the free and open Internet and urges the FCC to adopt strong, enforceable net neutrality rules including on mobile networks. Our comments enumerate what steps we believe the FCC must to take to ensure an open Internet for the future.

What incentives do broadband Internet access providers have to discriminate against content providers?

Giant Internet service providers have a near monopoly over how Americans access the Internet. Advancements in technology now allow these “gatekeepers” of information to slow traffic from certain sources that either protects their affiliated content or slows down their competitors. For example, an ISP with its own movie and TV streaming service could slowdown traffic for Netflix or YouTube users in favor of its own affiliated content.

Why is it important for the FCC to adopt rules that prohibit “blocking” of certain content?

The FCC should adopt rules to prohibit broadband providers from charging a content, application or service provider for enhanced or prioritized access. In doing so the commission would ensure that there are no “fast and slow lanes.” This is important because enhancing or prioritizing access to consumers for the delivery of some content providers over others can only be done so through slowing, or blocking, other content providers.

Why is transparency important in regards to net neutrality?

Broadband networks are designed in such a way that it is difficult to determine the precise causes of network congestion. This allows broadband Internet providers to hide congestion-by-design tactics both from the edge providers (who it then seeks to negotiate access fees), as well as from the FCC. More enhanced disclosure requirements are essential to help alleviate some of these issues.