

FCC's repeal of net neutrality protections not done deal, could well end up in court

The Federal Communications Commission's repeal of net neutrality protections was to become effective in late April. That doesn't mean the issue is settled, however. It's very likely the issue could end up being decided in court, or by legislation in Congress.

Ajit Pai, FCC chairman, framed net neutrality repeal as getting the government to "stop micromanaging the internet."

The telecom industry supported the repeal, claiming regulations threatened broadband investments and innovation. Technology companies and consumer advocacy groups have protested the repeal, arguing it could end the internet.

Net neutrality rules were approved by the FCC in 2015. The intention was to keep the internet open and fair.

Under the rules, internet service providers are required to treat all online content the same. They can't deliberately speed up or slow down traffic from specific websites or apps, nor can they put their own content at an advantage over rivals.

To take a classic example, this means an ISP can't just choose to slow down a ser-

vice like Netflix to make its own streaming video service more competitive, nor can it try to squeeze a content provider to pay more money to be part of a so-called internet fast lane.

As Michael Cheah, general counsel at video site Vimeo, told CNN Money: the point of the rules is "allowing consumers to pick the winners and losers and not having the cable companies make those decisions for them."

Both sides agree the internet is increasingly central to our lives. Any change to how it's regulated is a hot button issue.

"Everyone uses the internet and everyone uses tech platforms," Michelle Connolly, a former FCC official who supports Pai, told CNN Money. "So issues that are coming up right now, people are seeing from a very personal perspective."

The FCC is disposing of rules barring internet providers from blocking or slowing down access to online content. The FCC would also eliminate a rule barring providers from prioritizing their own content. In the absence of a firm ban on these actions, providers will be required to publicly disclose

any instance of blocking, throttling or paid prioritization. It will then be evaluated based on whether or not the activity is anti-competitive.

As part of this shift, oversight of internet protections will shift from the FCC to the Federal Trade Commission.

Maureen K. Ohlhausen, the acting head of the FTC, said that the agency is "committed to ensuring that Internet service providers live up to the promises they make to consumers."

But consumer advocacy groups are less than optimistic.

"Not only is the FCC eliminating basic net neutrality rules, but it's joining forces with the FTC to say it will only act when a broadband provider is deceiving the public," Chris Lewis, VP at Public Knowledge, a nonprofit that focuses on the open internet, said. "This gives free reign to broadband providers to block or throttle your broadband service as long as they inform you of it."

It's important to say what won't happen: Billion-dollar services like Netflix are not going to disappear overnight without net neu-

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- Repeal of net neutrality was to have gone into effect in late April. However, the matter may not be settled.

- Putting a halt to micromanaging of the Internet was primary aim of repeal.

- Telecom industry generally supported net neutrality regulations repeal.

- With the Internet increasingly central to everyday life, changes in how it is regulated become hot button issues.

- Original intent of rules was to keep the Internet open and fair.

- Oversight of internet protections will shift from the FCC to the Federal Trade Commission.



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trality. They have large audiences and bank accounts to survive in a changing regulatory landscape.

Net neutrality advocates worry how repeal will impact the next Netflix. Upstart companies may struggle to strike deals with providers and pay up to have their content delivered faster. That could fundamentally alter the future internet landscape.

The repeal could change how customers are billed for services, both for good and bad. T-Mobile, for example, was criticized by net neutrality supporters for effectively making it cheaper for customers to stream videos from

Netflix and HBO, putting other video services at a disadvantage.

Without net neutrality, internet providers may pursue similar offers more aggressively, likely viewed as a positive by consumers looking to save money on their streaming media.

Yet, some fear it's also possible internet providers will begin charging customers more to access services like Netflix that are currently included as part of their monthly bill.

Repeal of net neutrality may not be a done deal.

It's likely this issue could end up being decided in court, or perhaps even by legislation in Congress.

"Whenever we do anything big and major, people go to court," a

FCC releases details on Universal Service

In late March preliminary details on the long awaited Report and Order, Third Order on Reconsideration on Universal Service were finally released.

As a threshold matter, we welcome several aspects of the FCC's action, are grateful for the release of preliminary details, and looking forward to moving forward.

NTCA has been actively engaged in the effort to secure greater, bright-line clarity in determining

senior FCC official said. "I certainly would not rule that out."

what is and is not recoverable through universal service. NTCA has seen this as important for effective and efficient use of limited resources for the benefit of both consumers and stakeholders in that system.

The March 23 action by the FCC to address Universal Service Fund budget crises represents a much-needed 'shot in the arm' for rural broadband. The March decision by the FCC recognizes in providing additional resources, the current levels of high-cost USF support are not sufficient. That much has been evident as policymakers have spent the past several months pondering what it will take to truly bring broadband services to all Americans.

Finally, the notice included with the late March order also rightly recognizes that there is much more to do and to discuss to ensure that sufficient and effective universal service support will be available as required by law to achieve and sustain the nation's connectivity goals.

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