



Insight

Net Neutrality: Who Wants What

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The American Action Forum examined hundreds of filings to FCC from companies and public interest groups for the next round of net neutrality regulations. Below are the broad, contested areas in the debate, followed by highlights from recent filings.

- **Regulation v. Regulation:** Most of the parties surveyed weren't debating a third round of net neutrality regulations compared to no regulation. Instead, commenters pitted section 706 regulation, so-called "light touch" regulation of broadband, against [Title II](#) command-and-control rate-setting regulation. The progressive groups Free Press and Public Knowledge paired with Netflix arguing for Title II reclassification. AT&T, Comcast, and Verizon all argued against Title II.
- **Fast v. Slow:** Many progressive groups are terrified at the prospect of so-called "paid priority," that is companies agreeing for certain service quality in exchange for payment. Of course, as many commenters [have noted](#), "the Internet is already full of fast lanes." No party below specifically advocated for fast or slow lanes, instead opting for terms like "differentiated agreements."
- **Caution v. New Ground:** Many commenters warned FCC that an entirely new regulatory apparatus could cause disruption and uncertainty in a thriving Internet ecosystem. Broadband companies and content providers have passed through several iterations of net neutrality regulations, but some advocate for the new design of Title II, a radical departure from the current environment.

Below are the highlights from the net neutrality filings:

Company	Position
Akamai	<ul style="list-style-type: none"> • FCC should proceed with caution as it considers expanding the scope of the open Internet rules to include mobile traffic management. • Unnecessary regulatory framework could discourage continued investment in broadband infrastructure. • Wrong rulemakings in the US can encourage a patchwork of burdensome regulations around the world that could harm all Internet users regardless of location.
AT&T	<ul style="list-style-type: none"> • AT&T has no intention of creating fast lanes and slow lanes or of using prioritization arrangements for discriminatory or anti-competitive ends. • Commission cannot and should not reclassify broadband Internet access service as a Title II service in an attempt to regulate it. • There is no valid legal rationale for reclassifying broadband Internet access providers as “telecommunications carriers.”
Comcast	<ul style="list-style-type: none"> • Reclassifying broadband internet access service as a Title II telecommunications service would stifle capital investment and dynamic innovation. • Section 706 provides ample authority to fulfill the FCC’s objectives. • Reaffirm transparency framework, reinstate “no blocking” rule, and establish “commercial reasonableness” standard.
Free Press	<ul style="list-style-type: none"> • Title II common carriage is a highly deregulatory and flexible framework, designed to preserve core nondiscrimination principles and should be applied to all telecommunications services. • Section 706 cannot serve as a basis for enforceable protections against broadband providers’ blocking, discrimination, or unreasonable terminating access fees. • Disparity between the protections for wired and mobile wireless broadband connections would have disparate impact on individuals and communities that rely on mobile devices as their primary or sole means of accessing the Internet.
Google	<ul style="list-style-type: none"> • Google Fiber partners with content providers, allowing them to peer directly to its network at no charge. This allows for faster delivery of higher quality video and does not involve prioritizing its partners’ video packets over others or otherwise discriminate among Internet traffic. • FCC should encourage a competitive marketplace for retail consumer navigation devices.

Company	Position
Netflix	<ul style="list-style-type: none"> • Section 706 does not suffice to preserve an open internet. FCC should reclassify broadband Internet access as a telecommunications service under Title II. • Rules should stipulate that ISPs should not: 1) Charge data sources to avoid degradation and 2) Favor particular data sources. • ISPs should: 1) Provide adequate no-fee interconnection to wholesalers and Internet services and 2) Ensure that a user is receiving third party data near or at the maximum speed
Public Knowledge	<ul style="list-style-type: none"> • Data caps have emerged as a tool with a potential to significantly influence the viability of an open Internet; the Commission should incorporate a thorough examination of the current state of data caps into its review. • Title II is the proper regulatory framework for telecommunications services such as broadband.
Verizon	<ul style="list-style-type: none"> • The new non-blocking rule should ensure providers do not block lawful Internet traffic, but also should also allow flexibility for providers to negotiate differentiated arrangements. • Reclassification of broadband service would endanger the Internet because 1) The price and regulation in Title II have no place in today's fast-paced and competitive Internet market place and 2) It's unlawful and could result in years of counterproductive uncertainty for the industry.