

Nov. 6, 2009

## **Net Neutrality Pending Federal Laws and Regulation**

The debate of if and how the federal government will regulate the Internet has recently progressed to a point where new rules will be considered by the Federal Communications Commission (FCC). In addition, two bills have been introduced in Congress representing opposing viewpoints. Briefly stated, proponents of Net Neutrality rules assert regulations are needed to prevent Internet Service Providers (ISPs) from discriminating against any content available on the Internet regarding access and speed. For example, an ISP could not block or degrade the signal of a competitor or grant preferential access or speed to their own content or that of a partner. Opponents claim no government regulation is needed and ISPs should be able to charge fees to Internet sites that make money using the networks the ISPs have built.

The position of the National Cable Television Association can be found <here.>  
[<http://www.ncta.com/IssueBriefs/Network-Management.aspx>]

The position of Free Press, a consumer advocacy organization and a leading supporter of Net Neutrality can be found <here>[ [http://www.freepress.net/policy/internet/net\\_neutrality](http://www.freepress.net/policy/internet/net_neutrality)]

Mediacom does not have a public position on this issue.

### **FCC Rulemaking**

The FCC recently opened an administrative process to gather public comment on a set of proposed rules to govern how Internet Service Providers are allowed to manage their networks. The proposed rules reflect six basic principles as outlined in an [[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-294159A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-294159A1.pdf)] <FCC press release> :

Under the draft proposed rules, subject to reasonable network management, a provider of broadband Internet access service:

1. would not be allowed to prevent any of its users from sending or receiving the lawful content of the user's choice over the Internet;
2. would not be allowed to prevent any of its users from running the lawful applications or using the lawful services of the user's choice;
3. would not be allowed to prevent any of its users from connecting to and using on its network the user's choice of lawful devices that do not harm the network;
4. would not be allowed to deprive any of its users of the user's entitlement to competition among network providers, application providers, service providers, and content providers;
5. would be required to treat lawful content, applications, and services in a nondiscriminatory manner; and
6. would be required to disclose such information concerning network management and other practices as is reasonably required for users and content, application, and service providers to enjoy the protections specified in this rulemaking.

The full Notice of Proposed Rule Making is available <here in pdf format.>  
[[http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-09-93A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-93A1.pdf)]

The public may make comments on the Rule Making by accessing the  
[<http://fjallfoss.fcc.gov/ecfs2/hotdocket/list>] <FCC's online comment page>. The Rulemaking is number 07-52.

### **Federal Legislation**

Two bills have been introduced in Congress. H.R. 3458 would codify Net Neutrality principles into law. A press release from the main sponsor, Rep. Markey, is available  
[[http://markey.house.gov/index.php?option=com\\_content&task=view&id=3763&Itemid=177](http://markey.house.gov/index.php?option=com_content&task=view&id=3763&Itemid=177)]  
<here.>

Senator McCain recently introduced a bill that would prevent the FCC from promulgating Internet rules. A press release from McCain's office is available  
[[http://mccain.senate.gov/public/index.cfm?FuseAction=PressOffice.PressReleases&ContentRecord\\_id=7ccc25b5-9d63-321c-0238-805ed7bafc6b](http://mccain.senate.gov/public/index.cfm?FuseAction=PressOffice.PressReleases&ContentRecord_id=7ccc25b5-9d63-321c-0238-805ed7bafc6b)] <here.>

### **Additional Articles**

<This article from the Washington Post>  
[http://voices.washingtonpost.com/posttech/2009/11/\\_cisco\\_a\\_company\\_that.html](http://voices.washingtonpost.com/posttech/2009/11/_cisco_a_company_that.html) takes a closer look at some details of the Rulemaking.

<This article> [<http://rawstory.com/2009/10/mccain-net-neutrality/>] takes a look at the McCain bill.