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## Access to Broadband Networks: The Net Neutrality Debate

Angela A. Gilroy

# Access To Broadband Networks The Net Neutrality Debate

**Wolfgang Guggemos**

## **Access To Broadband Networks The Net Neutrality Debate:**

**Access to Broadband Networks** Angele A. Gilroy, 2012-11-22 As congressional policymakers continue to debate telecommunications reform a major point of contention is the question of whether action is needed to ensure unfettered access to the Internet. The move to place restrictions on the owners of the networks that compose and provide access to the Internet to ensure equal access and non discriminatory treatment is referred to as net neutrality. While there is no single accepted definition of net neutrality most agree that any such definition should include the general principles that owners of the networks that compose and provide access to the Internet should not control how consumers lawfully use that network and they should not be able to discriminate against content provider access to that network. A major focus in the debate is concern over whether it is necessary for policymakers to take steps to ensure access to the Internet for content services and applications providers as well as consumers and if so what these steps should be. Some policymakers contend that more specific regulatory guidelines may be necessary to protect the marketplace from potential abuses which could threaten the net neutrality concept. Others contend that existing laws and policies are sufficient to deal with potential anti competitive behavior and that additional regulations would have negative effects on the expansion and future development of the Internet. The December 21 2010 adoption and November 20 2011 implementation by the Federal Communications Commission FCC of its Open Internet Order has focused attention on the issue. Although most concede that networks have always needed and will continue to need some management the use of prioritization tools such as deep packet inspection as well as the initiation of metered usage based billing practices have further fueled the debate. A consensus on the net neutrality issue has remained elusive and support for the FCC's Open Internet Order has been mixed. While some Members of Congress support the action and in some cases would have supported an even stronger approach others feel that the FCC has overstepped its authority and that the regulation of the Internet is not only unnecessary but harmful. Internet regulation and the FCC's authority to implement such regulations has been a topic of legislation H R 96 H R 166 S 74 H R 2434 H R 1 H R 3630 H J Res 37 and S J Res 6 and hearings in the 112th Congress. The House on April 8 2011 passed 240 179 H J Res 37 to state disapproval of and remove the force and effect of the FCC's Open Internet Order. However an identical resolution of disapproval S J Res 6 failed to pass the Senate on November 10 2011 by a 52 46 vote. Attempts to prohibit implementation through the appropriations process by the withholding of FCC funds for such purposes have also been unsuccessful. It is anticipated that the issue of Internet access will be of continued interest to policymakers. The net neutrality issue has also been narrowly addressed within the context of the American Recovery and Reinvestment Act of 2009 ARRA P L 111-5. Provisions required the National Telecommunications and Information Administration NTIA in consultation with the FCC to establish nondiscrimination and network interconnection obligations as a requirement for grant participants in the Broadband Technology Opportunities Program BTOP. These obligations were released July 1 2009 in conjunction with the issuance of a notice of funds availability.

soliciting applications Recipients of these awards have been selected and continued congressional oversight is expected

**Access to Broadband Networks** Angele A. Gilroy, 2011-08 As congressional policymakers continue to debate telecomm reform a major point of contention is the question of whether action is needed to ensure unfettered access to the Internet The move to place restrictions on the owners of the networks that compose and provide access to the Internet to ensure equal access and non discriminatory treatment is referred to as net neutrality A major focus in the debate is concern over whether it is necessary for policymakers to take steps to ensure access to the Internet for content services and applications providers as well as consumers what these steps should be

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### **The Net Neutrality Debate**

Congressional Service, 2017-12 As congressional policymakers continue to debate telecommunications reform a major discussion point revolves around what approach should be taken to ensure unfettered access to the Internet The move to place restrictions on the owners of the networks that compose and provide access to the Internet to ensure equal access and nondiscriminatory treatment is referred to as net neutrality While there is no single accepted definition of net neutrality most agree that any such definition should include the general principles that owners of the networks that compose and provide access to the Internet should not control how consumers lawfully use that network and they should not be able to discriminate against content provider access to that network The Federal Communications Commission FCC in its February 26 2015 open meeting voted 3 2 along party lines to adopt new open Internet rules and released these rules on March 12 2015 One of the most controversial aspects of the rules is the decision to reclassify broadband Internet access service as telecommunications service under Title II thereby subjecting Internet service providers to a more stringent regulatory framework With limited exceptions the rules went into effect June 12 2015 Various parties challenged the legality of the FCC's 2015 Open Internet Order but the U S Court of Appeals for the D C Circuit in a June 14 2016 ruling voted 2 1 to uphold the legality of all aspects of the 2015 FCC Order A petition for full U S Appeals Court review was denied and parties have petitioned for U S Supreme Court review The FCC's May 18 2017 adoption 2 1 of a Notice of Proposed Rulemaking to reexamine the rules adopted in 2015 with an eye to considering a less regulatory approach has once again opened up the debate over what the appropriate framework is to ensure an open Internet Reaction to this proposal has been mixed Some see the current FCC rules as regulatory overreach and welcome a more light touch approach which they feel will stimulate broadband investment deployment and innovation Others fully support the current 2015 regulations and feel that their modification will result in a concentration of power to the detriment of content services and applications providers as well as consumers and refute the claim that these regulations have had a negative impact on broadband investment expansion or innovation The draft Order is currently under circulation to the commissioners with a vote by the full commission tentatively scheduled for December 14 2017 To date congressional action in the 115th Congress has focused on two aspects of the

current rules privacy S J Res 34 S 878 S 964 H J Res 86 H Res 230 H R 1754 H R 1868 H R 2520 H R 3175 and transparency S 228 H R 288 Separately legislation S 993 to nullify the FCC's 2015 Open Internet Order has also been introduced The FCC's move to reexamine its existing open Internet rules has reopened the debate over whether Congress should consider a more comprehensive measure to amend existing law to provide greater regulatory stability and guidance to the FCC Whether Congress will choose to address more comprehensive legislation to amend the 1934 Communications Act to provide a broad based framework for such regulation remains to be seen

### **Access to Broadband Networks**

Congressional Research Service, 2014-11-11 As congressional policy makers continue to debate telecommunications reform a major point of contention is the question of whether action is needed to ensure unfettered access to the Internet The move to place restrictions on the owners of the networks that compose and provide access to the Internet to ensure equal access and non discriminatory treatment is referred to as net neutrality While there is no single accepted definition of net neutrality most agree that any such definition should include the general principles that owners of the networks that compose and provide access to the Internet should not control how consumers lawfully use that network and they should not be able to discriminate against content provider access to that network A major focus in the debate is concern over whether it is necessary for policy makers to take steps to ensure access to the Internet for content services and applications providers as well as consumers and if so what these steps should be Some policy makers contend that more specific regulatory guidelines may be necessary to protect the marketplace from potential abuses which could threaten the net neutrality concept Others contend that existing laws and policies are sufficient to deal with potential anti competitive behavior and that additional regulations would have negative effects on the expansion and future development of the Internet The January 2014 decision by the U S Court of Appeals D C Circuit Verizon Communications Inc v Federal Communications Commission D C Cir No 11 1355 upholding the Federal Communications Commission's FCC authority to use Section 706 of the Telecommunications Act of 1996 to regulate broadband providers but striking down the specific anti blocking and nondiscrimination rules of the FCC's 2010 Open Internet Order has focused attention on the issue Seven measures H R 3982 H R 4070 H R 4752 H R 4880 H R 5429 S 1981 and S 2476 have been introduced in direct response to the January 2014 court decision and subsequent FCC action In response to the court remand the FCC on May 15 2014 adopted a Notice of Proposed Rulemaking to seek comment on how best to protect and promote an open Internet A consensus on the net neutrality issue has remained elusive Some Members of Congress support FCC regulation of broadband providers others feel that the regulation of the Internet is not only unnecessary but harmful The release on November 10 2014 of a statement by President Obama urging the FCC to adopt regulations to reclassify Internet access services as telecommunications services to be regulated under Title II of the 1934 Communications Act has once again focused attention on the debate The FCC has yet to make a decision but regardless of the outcome it is anticipated that the issue of access to broadband networks will be of continued interest to policy makers

The net neutrality issue has also been narrowly addressed within the context of the American Recovery and Reinvestment Act of 2009 ARRA P L 111 5 Provisions required the National Telecommunications and Information Administration NTIA in consultation with the FCC to establish nondiscrimination and network interconnection obligations as a requirement for grant participants in the Broadband Technology Opportunities Program BTOP These obligations were released July 1 2009 in conjunction with the issuance of a notice of funds availability soliciting applications Recipients of these awards have been selected and continued congressional oversight is expected **The Net Neutrality Debate** Congressional Research Service,2018-11-18 Access to Broadband Networks Library of Congress. Congressional Research Service,2009 Addresses net neutrality debate over whether regulatory action is needed to ensure unfettered access to the Internet in light of broader telecommunications reform Reviews FCC activity network management policy debate and Congressional activity in the 111th Congress Net Neutrality Debate Angele A. Gilroy,2017 **Federal Net Neutrality Debate** Figliola,2021 Access to Broadband Networks ,2009 The move to place restrictions on the owners of the networks that compose and provide access to the Internet to ensure equal access and non discriminatory treatment is referred to as net neutrality There is no single accepted definition of net neutrality However most agree that any such definition should include the general principles that owners of the networks that compose and provide a However he stated that they would be incorporated into the policymaking activities of the Commission 6 For example one of the agreed upon conditions for the October 2005 approval of both the Verizon MCI and the SBC AT T mergers was an agreement made by the involved parties to commit for two years to conduct business in a way that comports with the Commission s 2005 Internet policy statement The Framework for Broadband Internet Service the FCC Notice of Inquiry The FCC in a June 17 2010 action adopted 3 2 a notice of inquiry NOI to consider the framework for broadband Internet service 18 The NOI seeks comment on original suggestions as well as comment on three specific issues whether the FCC s information service classification of broadband internet service remains legal The American Recovery and Reinvestment Act of 2009 The FCC has also been called upon to address net neutrality principles within the context of the implementation of the American Recovery and Reinvestment Act of 2009 ARRA P L 111 5 The NBP referred to the FCC s ongoing notice of proposed rulemaking on Preserving the Open Internet see Preserving the Open Internet the FCC Notice of Proposed Rulemaking above and stated that broadband s ability to derive the many benefits discussed in this plan depends on its continued openness 29 One other issue relevant to the open access net neutrality debate focuses on the regulation of **Access to broadband networks** Angele A. Gilroy,2019 *Net Neutrality: Contributions to the Debate* Jorge Pérez Martínez (Coord.),2011-03-30 After a decade of discussion on how to guarantee an open sustainable internet and often intense debate regarding the Federal Communications Commission s 2009 public hearing on the application of the principles of net neutrality on 21st December 2010 the various elements that comprise the solution to this now famous controversy were passed This solution has not satisfied many people and nearly everyone agrees that it will

not end the debate and nor will it resolve the underlying structural problems This book examines the source development and viewpoints on this issue based on contributions from leading experts from the academic and business worlds in the USA and Europe who have been involved in the debate This is a highly important book for understanding the various points of view on the very current and controversial issue of web neutrality

**The Raging Debate of Net Neutrality** Caroline Mutuku,2018-05-29 Essay from the year 2017 in the subject Communications Multimedia Internet New Technologies grade 1 6 language English abstract The term net neutrality is elusive partly because its meaning varies depending on the speaker and associated agenda The general perception of the term is used to describe two distinct proposed regulation related to broadband Internet providers One proposal suggests that regulators would and enforce some regulations that would determine acceptable network management practices as well as unacceptable degradation of disfavored internet application and antecedent content The other argument suggest that the regulators would ban an internet access provider from signing commercial agreements with some applications and content providers in order to provide sophisticated performance enhancement technology that is essential in the support of unusually performance sensitive contents and applications for example the real time streaming of videos The two proposals are distinct but complement each other Most net neutrality proponents advocate the anti blocking rule as well as close regulation of business to business relations between networks and content providers These proposals are likely to be the focus of telecommunication policy for some time to come The proposals have got the attention of Congress who already has some bills on the topic The President has weighed in the debate with his demand that a strong form of regulation The papers aim to examine the anti trust implication on net neutrality regulations

**Regulating the Web** Zack Stiegler,2012-12-16 Since its popularization in the mid 1990s the Internet has impacted nearly every aspect of our cultural and personal lives Over the course of two decades the Internet remained an unregulated medium whose characteristic openness allowed numerous applications services and websites to flourish By 2005 Internet Service Providers began to explore alternative methods of network management that would permit them to discriminate the quality and speed of access to online content as they saw fit In response the Federal Communications Commission sought to enshrine net neutrality in regulatory policy as a means of preserving the Internet s open nondiscriminatory characteristics Although the FCC established a net neutrality policy in 2010 debate continues as to who ultimately should have authority to shape and maintain the Internet s structure Regulating the Web brings together a diverse collection of scholars who examine the net neutrality policy and surrounding debates from a variety of perspectives In doing so the book contributes to the ongoing discourse about net neutrality in the hopes that we may continue to work toward preserving a truly open Internet structure in the United States

**Net Neutrality. Developing Business Model and Evidence Based Net Neutrality Regulation** Anurag Rana,2014-06-11 Scientific Essay from the year 2014 in the subject Computer Science Internet New Technologies language English abstract Over the past ten years the debate over

network neutrality has remained one of the central debates in Internet policy. Governments all over the world have been investigating whether legislative or regulatory action is needed to limit the ability of providers of Internet access services to interfere with the applications content and services on their networks. Net neutrality comprises two separate non discrimination commitments. Backward looking net neutrality lite claims that Internet users should not be disadvantaged due to opaque and invidious practices by their current Internet Service Provider ISP. Forward looking positive net neutrality is a principle whereby higher Quality of Service QoS for higher prices should be offered on fair, reasonable and non discriminatory FRAND terms to all comers. Neither extreme in the debate is an optimum solution. There is too much at stake to expect government to supplant the market in providing higher speed connections or for the market to continue to deliver without basic policy and regulatory backstops to ensure continued openness. Permitting content discrimination on the Internet will permit much more granular knowledge of what an ISP's customers are doing on the Internet. A co regulatory regime will ensure oversight and remove the most obvious abuses by fixed and mobile ISPs. Beyond rules that forbid network providers from blocking applications content and services, non discrimination rules are a key component of any network neutrality regime. This analytical study provides background on the debate over network neutrality including the implications for business models going forward that have been attempted and that are currently in play. This article explains for a global policy audience what the regulatory and governance problems and potential solutions are for the issue referred to as network neutrality. Unpacking its lite and heavy elements. Eschewing technical, economic or legalistic explanations previously tackled elsewhere, it explains that increasing Internet Service Provider ISP control over content risks not just differentiated pricing and speed on the Internet. It explains that a co regulatory regime may ensure regulatory oversight and remove obvious abuses by fixed and mobile ISPs without preventing innovation while guarding against government abuse of the censorship opportunities provided by new technologies.

**Network neutrality** Christopher T. Marsden, 2017-02-23. Net neutrality is the most contested Internet access policy of our time. This book offers an in depth explanation of the concept addressing its history since 1999, its engineering, the policy challenges it represents and its legislation and regulation. Various case studies are presented including Specialized Services and Content Delivery Networks for video over the Internet and the book goes on to examine the future of net neutrality battles in Europe, the United States and developing countries as well as offering co regulatory solutions based on FRAND and non exclusivity. It will be a must read for researchers and advocates in the net neutrality debate as well as those interested in the context of communications regulation law and economic regulation, human rights discourse and policy and the impact of science and engineering on policy and governance. An electronic edition of this book is freely available under a Creative Commons CC BY NC ND licence.

[Net Neutrality and the Battle for the Open Internet](#) Danny Kimball, 2022-08-24. Net neutrality, a dry but crucial standard of openness in network access began as a technical principle informing obscure policy debates but became the flashpoint for an all out political battle for the future of

communications and culture Net Neutrality and the Battle for the Open Internet is a critical cultural history of net neutrality that reveals how this intentionally boring world of internet infrastructure and regulation hides a fascinating and pivotal sphere of power with lessons for communication and media scholars activists and anyone interested in technology and politics While previous studies and academic discussions of net neutrality have been dominated by legal economic and technical perspectives Net Neutrality and the Battle for the Open Internet offers a humanities based critical theoretical approach telling the story of how activists and millions of everyday people online and in the streets were able to challenge the power of the phone and cable corporations that historically dominated communications policy making to advance equality and justice in media and technology

**Net Neutrality and the FCC** Denise Lambert,2015-09 In February 2015 the Federal Communications Commission FCC adopted an order that will impose rules governing the management of Internet traffic as it passes over broadband Internet access services BIAS whether those services are fixed or wireless The rules are commonly known as net neutrality rules The order was released in March 2015 According to the order the rules ban the blocking of legal content forbid paid prioritisation of affiliated or proprietary content and prohibit the throttling of legal content by broadband Internet access service providers BIAS providers The rules are subject to reasonable network management as that term is defined by the FCC This book discusses selected legal issues raised by FCC s 2015 open internet order and examines the net neutrality debate

**Information Technology Law: The Law and Society** Andrew Murray,2013-08-22 Information Technology Law examines how the law interacts with our actions in cyberspace and other elements of the information society The first textbook to consider the relationship between the legal system and the information society it also covers issues such as governance free expression crime and looks forward to future challenges

**From Net Neutrality to ICT Neutrality** Patrick Maillé,Bruno Tuffin,2022-11-05 This book discusses the pros and cons of information and communication ICT neutrality It tries to be as objective as possible from arguments of proponents and opponents this way enabling readers to build their own opinion It presents the history of the ongoing network neutrality debate the various concepts it encompasses and also some mathematical developments illustrating optimal strategies and potential counter intuitive results then extends the discussion to connected ICT domains The book thus touches issues related to history economics law networking and mathematics After an introductory chapter on the history of the topic chapter 2 surveys and compares the various laws in place worldwide and discusses some implications of heterogeneous rules in several regions Next chapter 3 details the arguments put forward by the participants of the net neutrality debate Chapter 4 then presents how the impact of neutral or non neutral behaviors can be analyzed mathematically with sometimes counter intuitive results and emphasizes the interest of modeling to avoid bad decisions Chapter 5 illustrates that content providers may not always be on the pro neutrality side as there are situations where they may have an economic advantage with a non neutral situation e g when they are leaders on a market and create barriers to entry for competitors Another related issue is

covered in chapter 6 which discusses existing ways for ISPs to circumvent the packet based rules and behave non neutral without breaking the written law Chapter 7 gives more insight on the role and possible non neutral behavior of search engines leading to another debate called the search neutrality debate Chapter 8 focuses on e commerce platforms and social networks and investigates how they can influence users actions and opinions The issue is linked to the debate on the transparency of algorithms which is active in Europe especially Chapter 9 focuses on enforcing neutrality in practice through measurements indeed setting rules requires monitoring the activity of ICT actors in order to sanction non appropriate behaviors and be proactive against new conducts The chapter explains why this is challenging and what tools are currently available Eventually Chapter 10 briefly concludes the presentation and opens the debate

**The Role of SDN in Broadband Networks** Hassan Habibi Gharakheili, 2017-01-09 This thesis focuses on the design and use of software defined networking SDN in residential Internet service providers ISPs as well as innovative operational models that can be incorporated in broadband ecosystems Though SDN addresses the challenges for bundled best effort service provided by broadband operators for users it does not distinguish between the different types of applications video streaming web browsing and large file transfers nor does it cater to the varying needs of different household devices entertainment tablets work laptops or connected appliances This is a problem for end users who want to differentiate between applications and devices for content providers CPs who want to exercise control over streams of high monetary value and for Internet service providers ISPs who have to accommodate growing traffic volumes without additional revenues This book develops a series of solution techniques that use SDN to find an optimal balance between the competing requirements of end users ISPs and CPs In addition to the design and discussions of various architectures it provides technical details on real world system implementations and prototypes As such it offers a valuable resource for researchers network architects network strategists developers and all other readers seeking to learn more about the practical value of SDN in future ISP networks

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