



Written by [Steven J. DuBord](#) on September 23, 2009

FCC Chief Backs Net Neutrality

Julius Genachowski, Chairman of the Federal Communications Commission, has proposed extending FCC regulation of the Internet and wireless carriers for the sake of so-called net neutrality.

Genachowski would like to formalize the principles of net neutrality as permanent regulations. Net neutrality is the concept that all traffic on the Internet should be treated equally and allowed the same fast speed of transmission and access to all websites should be unhindered, and users should not be restricted to proprietary devices with a company's Internet service.



Genachowski is pushing this to encompass the wireless industry as well. "Even though each form of Internet access has unique technical characteristics, they are all different roads to the same place," the FCC Chairman said. "It is essential that the Internet itself remain open, however users reach it."

AT&T, the largest land-line and wireless carrier in the United States, pointed out that only a year ago the FCC auctioned off what were supposed to be unencumbered public airwaves. Wireless companies spent billions of dollars on these airwaves as they looked to expand; the FCC turnabout to regulate the industry "creates the impression of a 'bait and switch' " scheme.

"We are concerned ... that the FCC appears ready to extend the entire array of net neutrality requirements to what is perhaps the most competitive consumer market in America: wireless services," AT&T Senior Executive Vice President Jim Cicconi said.

Cicconi is among those who have predicted that consumers will actually be hurt by the new regulations. Prices are likely to rise, and new technology and devices will be deployed with less frequency as companies grow leery of such a heavily regulated marketplace.

"The telecommunications and the cable companies that control both land-line and wireless access to the Internet argue that some customers who download large amounts of data, such as a continuous flow of movies, can jam their networks. Regulations that prevent the companies from restricting such bandwidth hogs, they contend, would hamper their networks, harm innovation and delay upgrades," the *Los Angeles Times* reported on September 22.

<http://www.latimes.com/business/la-fi-fcc-netneutrality22-2009sep22,0,3896759,full.story>

The five-member FCC must still approve Genachowski's proposal, but the Chairman is one of those five, and two of the remaining four members are fellow Democrats Michael Copps and Mignon Clyburn, who have stated their support for the plan.

The two Republican commissioners on the FCC, Robert McDowell and Meredith Baker, are concerned about the proposed regulations. They issued a joint statement calling the rules "a dramatic proposal to grow government's involvement in Internet governance and management."



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Some Senate Republicans have acted to back an amendment prohibiting the FCC from putting any new regulations into effect. "The Internet has flourished in large part because of a lack of government interference," noted Senator John Ensign (R-Nev.). "I see no need to change that now."

While net neutrality advocates raise interesting points, is regulation the answer? Is government policing of the entire Internet any more desirable than telecommunications giants trying to manage their own segment of the Internet? If the government forces all customers of Internet and wireless service to be treated equally, then all customers will have to pay equally.

If a company can no longer charge more for someone who is using more of the limited capability of the network, then everyone will have to pay more to cover that person's use, and they will all have to suffer through the slowdowns caused by that user. A person who just wants to web surf and use e-mail will pay as much as the person who is constantly downloading large amounts of video and music files.

Perhaps the FCC should regulate that the U.S. Postal Service, FedEx, and UPS all must establish a subscription service that charges a single monthly fee per household or business no matter how much mail that household or business sends. Perhaps it could also be required that every piece of mail and every package in the country be delivered overnight as part of the subscription, regardless of sender, recipient, size of parcel, or distance to destination? This would guarantee that everyone benefitted from the same speed with complete neutrality regarding those who send a lot of mail, who receive a lot of mail, who ship large packages, or who live in remote geographical locations.

As pleasant as it would be to ship anything from birthday cards to 50-inch flat-screen TVs with guaranteed next-day delivery, and to have the flexibility to send them once a month or thousands of times a day without paying extra, the cost of the subscription would be astronomical. Everyone who had a subscription would be treated equally, but the system wouldn't be fair because the neutral treatment allows the heaviest users to drive up the price for the lightest users.

In contrast, the current real-world system of mail and package delivery at varying speeds for commensurate prices allows the average user to pay minimal costs while those who need special delivery can pay more. This model seems to be a better fit for the Internet than some artificial, government-regulated "neutrality."



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