

New bill promotes Net neutrality

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A new bill in the Senate seeks to prohibit network operators from charging content providers extra for faster delivery of their content to consumers over the Internet, or in favor of certain content.

Sen. Ron Wyden, D-Ore., introduced the Internet Nondiscrimination Act of 2006 to Congress on Thursday in support of "net neutrality" or non-discriminatory access and service for consumer and business interests in promotion of a continued free and open Internet.

The current debate has arisen after the Regional Bell Operating Companies, which include the big three -- AT&T, BellSouth and Verizon -- called for a multi-tiered system where content providers could pay for priority use of faster service in downloading content such as movies.

But the debate has spilled over into a national debate over regulation, revenue-sharing agreements and open access to the Internet, with already a coalition of content providers and consumer advocacy groups rallying for Net neutrality as part of telecommunications legislation in the House Committee on Energy and Commerce.

"Creating a two-tiered system could have a chilling effect on small mom and pop businesses that can't afford the priority lane, leaving these smaller businesses no hope of competing against the Wal-Marts of the world," Wyden said in a statement. "Neutrality in technology enables small businesses to thrive on the Internet, and allows folks to start small and dream big, and that's what I want to protect with this legislation."

The bill aims to ban priority lanes where content providers can buy quicker access to customers, as opposed to those who cannot afford to do so, prohibits network operators from interfering with traffic on the Internet, allows consumers to choose which device they want to connect to when online and have transparent access to rates, terms and condition for Internet service.

"It's wrong to create an information superhighway that's strewn with discriminatory hurdles," Wyden added. "Today, I have introduced legislation to stop the powerful interests who control access to the Internet from picking winners and losers on the Internet. This bill is for consumers, innovators and small businesses -- it's all about equal access for everyone: the same access, the same content, for the same price."

The bill would also provide a written complaint-filing process before the Federal Communications Commission, in which the burden of proof is on the network operator that they had not violated the law. The FCC has 90 days to reach a decision, and the penalties are the same as those in the Communications Act.

But the U.S. Telecom Association contends that there are enough FCC regulations in place, worrying too much regulation could be a bad thing.

"There already exists oversight by the Federal Communications Commission today that has proven to be effective in protecting consumers' right to be in control of their Internet experience," Walter McCormick, president of the U.S. Telecom Association, said at the Feb. 7 hearing.

But on the other side of the spectrum the association also notes who will be fronting the bill when it comes to expensive Internet innovation and increasing need of broadband technology.

"All sides of the Net neutrality debate agree that consumers should be in control of their Internet experience. Where we differ is on whether consumers alone should foot the bill for the advanced networks that drive the Internet's growth and evolution," McCormick also said.

"Simply put, our side believes that businesses that seek to profit on the use of next-generation networks should not be free of all costs associated with the increased capacity that is required for delivery of the advanced services and applications they seek to market."

Still, public-interest groups that support Net-neutrality legislation like the Wyden bill say that it will keep the Internet open and allow smaller businesses to thrive.

The tech group Public Knowledge is supporting the bill. President Gigi B. Sohn said in a statement that the Wyden legislation would prevent network operators from discriminating in favor of content in which they have a financial interest.

"Now, we are in an uncertain time when network operators are threatening to impose new conditions on the high-speed broadband network," Sohn said. "Certainly, Net Neutrality should be part of any legislation that allows network operators to provide broadband into the home on an expedited basis, such as a national or state video franchise.

"In this environment, small companies, as Google once was, have been able to become large companies, as Google has become," she added.

"Innovation has flourished for consumers and service providers."

The Consumer Electronics Association also released a statement yesterday pleased with Wyden's efforts.

"Specifically this legislation would ensure that consumers retain the right to access music, movies and other digital content from across the

Internet -- when and where they want and with the device of their choice, no matter how they connect to the Internet," Michael Petricone, CEA's vice president of technology policy, said in a statement. "It also ensures that tomorrow's small digital entrepreneur with the 'next great idea' will not be blocked from reaching consumers across the world."

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