



Net Neutrality consumer protection rules are officially repealed today

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On the occasion today of [the final step in the FCC's repeal](#) of the [2015 FCC Net Neutrality consumer protection rules](#), that sought to [regulate the businesses that connect consumers to the internet](#), a new FCC era begins granting broadband companies the power to block websites, throttle services and censor online content. Many consumer advocates, including [CT Senate Majority Leader Duff](#), [Rep. Slap](#), and the [ACLU](#), have joined Consumer Counsel Elin Swanson Katz in continuing to champion Net Neutrality consumer protections, often called [the First Amendment of the internet](#).

Consumer Counsel Elin Swanson Katz was quoted today in a CTPost article entitled [Advocates vow to restore net neutrality](#):

"No one wants to pay more for what is now the status quo: a free and open internet in which we have equal and uncensored access to content on the internet," said state Consumer Counsel Elin Swanson Katz.

"But that is at stake," Katz noted. "Net neutrality protects us from expensive fast lanes, slow lanes and all-out blocking of access to websites and information."

Katz said without net neutrality providers will be "at the mercy" of large internet providers who can block, throttle or discriminate against access to content.

"This is not the internet that American consumers want or expect, as uncensored access to the unlimited content and opportunities for sharing and public good possible from use of the internet can be the only rational public policy for the advancement of all citizens of the US," Katz said.

It's hard to feel injury or pain for something you take for granted, but the loss of net neutrality consumer protections that will take full effect today ranks up there among the most important issues that all Americans will suffer in recent memory.

Many of us baby boomers are regarded as refugees with a limited sophistication with social media or technology while younger generations, including persons under five years old it often seems, are digital natives with a comprehension level that allows them to miraculously adapt to a new device or app seemingly with complete ease.

The new information era is not a mirage or a passing fad: it is the new reality around the world, including the US, and it brings with it the promise of connections, sharing, and learning opportunities than could ever have been imagined. While there is apparently no end in sight for these wonders, an unintended consequence of this bounty is the development of digital divides, achievement and homework gaps. Today's final bell on net neutrality consumer protections brings the prospect that internet service providers will now have a federal legal right to unfettered business plans without concerns about how the actions of multinational conglomerates on internet use will affect consumers.

The 2015 FCC order enacting net neutrality consumer protections was in reaction to a decade's long pattern of ISPs manipulating access to the internet based on their business plans instead of consumer welfare, and the prospects today are more ominous with the access providers now owning much of the content consumers seek to use on the internet. All such protections are now history, with the merest notice of provider intent to block access to sites of their choosing, favoring their own content and services over that of other providers, including startup companies or entrepreneurs.

The claims by proponents of eliminating net neutrality consumer protections is largely based on claims that "competition" exists in a robust form in the telecom market, and that such competition means that regulations are an

unacceptable burden on the innovations the internet service providers can create only with market freedom. In truth, the telecom market is subject to rules of engagement among the largest providers to create non-competitive niches (e.g., telephone v. cable) in which they can maximize profits at consumer expense.

The large incumbent providers of distribution and content will now have a clear path to continuing the monopoly/duopoly business model that has only been held in check by the modest regulatory rules that exist in this market. By requiring extra fees for access to the internet and priority service only for those who can pay for it, a further digital divide is set to begin.

US public policy should never create conditions directed at further enriching the largest and most powerful entities in this country in order to continue the huge market power that allows for profits in the billions of dollars per quarter, unaffected by economic conditions or consumer satisfaction. Crony capitalism is focused on benefitting insiders and establishment players, but always fails to incent the innovations that made the US the world power it is. Such inward thinking and policies can only stunt the future of the US at a time when many other countries have raced past the US in internet access and use.

Coincidentally, the day after the net neutrality changes have been finalized, the DC federal district court will rule on the purchase of Time Warner by AT&T. This combination, a vertical merger of different sorts of companies usually an easy merger approval matter, would combine the second-largest wireless network in the US with the vast entertainment content held by Time Warner.

It isn't hard to imagine that such a union of telecom and content companies would further exasperate the effects of the demise of net neutrality consumer protections that became final on Monday, June 11, 2018. The ability for such a combined telecom/media powerhouse to block programming from competitors while prioritizing its own entertainment programs would seem to be an irresistible business proposition.

With no federal or state rules, regulations, or even policies in effect to curb overreach by corporate owners of all the elements necessary for providing access to vast amounts of digital content via television or the internet, it is

inevitable that innovation and competition will suffer, generating higher prices for consumers and profits for the corporations.

For fledgling companies or ideas to flourish, competition, innovation, and inclusive access to the internet can only occur in a market that does not favor the most affluent consumers. The most exciting movements in the US today are based on cutting into the various digital divide issues, by using information gathering and sharing to render these divisive problems impotent and exposed. Plainly, if freedom to use the internet to its fullest extent is curtailed by federal government fiat as in the case of net neutrality, then the commercial success, security, and democracy itself are threatened.

While proponents of eliminating net neutrality consumer protections argue that the major internet providers have promised not to block, throttle, or discriminate against legal content, the word of these companies is insufficient in light of market history and the awesome level of profits possible by restricting access to avoid further technology investments.

In short, uncensored access to the unlimited content and opportunities for sharing and public good possible from use of the internet can be the only rational public policy for the advancement of all citizens of the US.



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