

The case for net neutrality

JC Sullivan | Monday, November 17, 2014

Editor's Note: This is the first column of a two-part column series that examines the current debate surrounding "net neutrality." The second column of this series, which will be published later this week, will examine the case against net neutrality.

Earlier this week, President Obama released a statement and accompanying video that called on the Federal Communications Committee (FCC) to "implement the strongest possible rules to protect net neutrality."

This sentiment was echoed by nearly four million others who commented on an FCC open forum dedicated to discourse related to net neutrality. But what is net neutrality and how does it affect Americans?

Net neutrality is the principle that internet service providers (ISPs), such as Comcast, Verizon, TimeWarner, etc., should not be able to determine the price or speed at which you receive your internet service based upon any characteristics or features of this internet data you are attempting to access. In other words, all internet data should be treated equally. It is important to note that this concept only extends over legal internet content and does not include pirated music or anything else of the sort.

Before further developing the case for net neutrality, it is important to describe the way the internet actually works and how it is relevant to this debate. When you access a website or download content online, websites or applications send the necessary data across the internet to your computer, mobile device or tablet. However, before this data makes it way to you, it passes through your ISP. Net neutrality holds that ISPs cannot prioritize the massive tons of data it processes based upon the content or source of the data. Since the origin of the internet, net neutrality has generally served as the norm.

However, a January federal appellate court decision struck down FCC-imposed net neutrality rules. Many pointed to the potentially dangerous implications of such a ruling, protesting that this ruling would lead to service fees for prioritized internet service. Large tech companies like Netflix and Google expressed concern that the ruling would allow ISPs to dish out large fees for better internet service, cornering these companies into dishing out exorbitant prices in order to ensure continued quality for their customers.

Others expressed concern that striking down net neutrality would provide ISPs a way by which they could filter and control information on the internet. For example, a Republican leaning board of directors at Comcast would have the power to slow down internet access to liberal leaning websites. ISPs could also use such power to drive out competitors. Many point to Comcast's acquisition of NBC Universal as a legitimate threat in this regard. If Comcast has the potential to slow up or speed down certain internet content, it could slow down ABC content while boosting the speed of NBC content. If you were looking for a new show to binge watch, would you rather a quick loading Parenthood or a Grey's Anatomy episode that takes 10 minutes to get started and then pauses every five minutes?

The above described outcomes appear to give ISPs dangerous and unfair control over the internet, especially considering the role of the internet in our daily lives. Consider the internet as the U.S. interstate highway system. Would it seem fair if highways were able to subject certain cars to restricted lanes because of the make or model? Further, would it seem fair if gas stations were cornered into paying for maintenance of the roads that led to their stations in exchange for an "express lane?" Such an example points to the vast impact a non-net neutral internet could have on daily internet use.

In addition, a non-net neutral internet appears to decrease innovation in and investment in internet technology. If companies like Google or Amazon pay a large fee for enhanced internet access, potential competitors will face increased barriers to entry. Established companies will have access to a better product through better internet speed and any attempt by competitors to gain equal internet access will come with a steep price tag.

As a result, supporters of net neutrality are calling for the FCC to classify the internet as a public utility. When comparing the internet to a public utility, like the highway example above, it seems clear that the internet fits the description of a public utility. If the FCC were to do so, internet service providers would be subject to a broader range of regulation and would not be allowed to manipulate internet speed or access unfairly. The FCC plans to rule on its classification of the internet in early 2015.

Further, it seems obvious that the internet provides a greater purpose to the general public than an average industry. The access and connectivity that the internet offers to Americans furthers democratic ends, including free speech, equal opportunity and a capitalistic economy. Allowing ISPs to yield near limitless control over internet content inherently damages these ends. From this perspective, net neutrality appears to be an imperative in sustaining the internet as we know it.

The views expressed in this column are those of the author and not necessarily those of The Observer.

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