

BNUG 8/6/19 Road Map for discussion on Net Neutrality

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Net neutrality: laws, policies, deception and self-deception

The Internet: a collaborative effort of scientists, government, non-profits and companies

The scientists: Tim Berners-Lee, Bolt Beranek and Newman, Bob Metcalfe

The government: from Darpa to Arpa, the FCC, Barack Obama, Tom Wheeler, Ajit Pai

Nonprofits: The internic, Mozilla and Linux

Companies:

The ISPs: AT&T, Comcast, Verizon, Charter, Cox, Windstream, Godaddy, Dreamhost, Siteground

The software companies: Microsoft, Google, AirBnB, Netflix

The law: Title I and Title II of the Communications Act of 1934

The current situation: The FCC has issued an order, 1708, for a "free and open internet", that removes restrictions from ISPs that up to now prohibited them from favoring or disfavoring users, attached equipment or content.

The FCC's explanation: the chairman of the FCC, Ajit Pai, says there is "no evidence" that the ISPs would treat anyone unfairly. All government regulation costs people money, and removing these regulations is economical, and will allow the free market to operate with its efficiency and fairness.

The FCC also says that net neutrality has had a chilling effect on investment in internet infrastructure.

What do we make of this?

A couple of principles:

1. Government officials sometimes have an agenda that may not resonate with the public good.

2. Ordinary people like us are able to examine evidence and draw powerful conclusions.

I'd like to think the Chairman of the FCC is a trustworthy person who examines evidence carefully and thoroughly. Let's look at his public statements and assess whether this is the case.

Let's focus on the main concern that drives the wish for net neutrality. Doesn't it make economic sense for Comcast to make all kinds of adjustments to internet bandwidth? Why on earth would they not favor their own programming? Why would they not take money to give a boost to certain services? Comcast is a public corporation. It would be violating its fiduciary duty to not maximize its profit by doing this.

Ajit Pai says that the provider must state in its service agreement that it is altering service in exchange for payment. Comcast and Verizon are the only providers in our neighborhood. If they both say in their service agreement that they will charge different providers different amounts, how do I exercise my "consumer veto." ?

The ISPs could frame it in a way that reduced negative publicity, by offering "enhanced" service to content providers, rather than stating frankly that they are throttling providers who don't pony up.

Let's look at the FCC's explanation of how this change will make things better. The FCC says that some ISPs are not making infrastructure investments because of net neutrality. Why is that? How does net neutrality reduce the value of infrastructure investments?

What is the role of democratic process in this dispute?

What is the role of BNUG in this dispute?

What happens next?