

FCC 2015 Open Internet Order

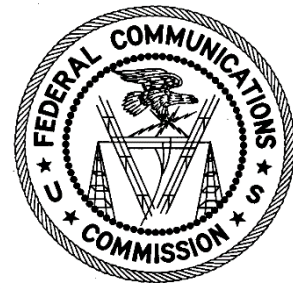


XXVI Meeting of the CITEI Permanent
Consultative Committee I (PCC.I)

Cusco, Peru

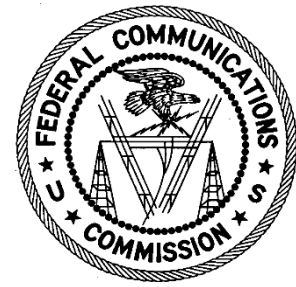
May 26-29, 2015

Why Open Internet Rules?



- The Open Internet rules are the culmination of more than a decade of effort by the Commission to protect and promote free and open Internet.
- Broadband Internet Access providers have the economic incentives and technical ability to engage in practices that pose a threat to Internet openness, including degrading content, or disfavoring content that they don't like.
- Rules are grounded on the principle that ***no actor—government or private—should interfere with the full, lawful use of the Internet.***

Scope of the Open Internet Rules



- The rules apply to Broadband Internet Access
 - Not “Regulation of the Internet”
- Rules apply to fixed and mobile broadband.
- Broadband Internet Access service is a “telecommunications” service under U.S. law.
- No utility regulation.

Bright Line Rules



No Blocking

- Applies to fixed and mobile broadband Internet access service providers
- Prohibits blocking of lawful content, applications, services, or non-harmful devices

No Throttling

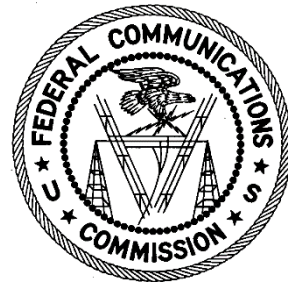
- Applies to fixed and mobile broadband Internet access service providers
- Prohibits impairing or degrading lawful Internet traffic on the basis of Internet content, application, service, or use of non-harmful device

No Paid Prioritization

- Applies to fixed and mobile broadband Internet access service providers
- Prohibits favoring of some lawful Internet traffic over other lawful traffic in exchange for consideration of any kind or to benefit an affiliated entity

↑
Subject to reasonable network management

General Conduct Rule and Transparency Rule



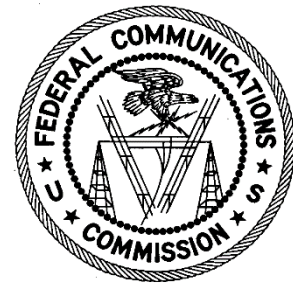
- ISPs cannot “unreasonably interfere with or unreasonably disadvantage” the ability of:
 - consumers to select, access, and use the lawful content, applications, services, or devices of their choosing, or
 - edge providers to make lawful content, applications, services, or devices available to consumers.

- Complaints will be addressed on a case-by-case basis.

- Reasonable network management is available when issues arise under the general conduct rule.

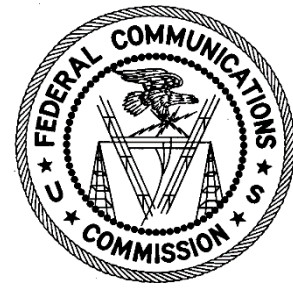
- Transparency Rule Enhanced

Non-Broadband Internet Access Services



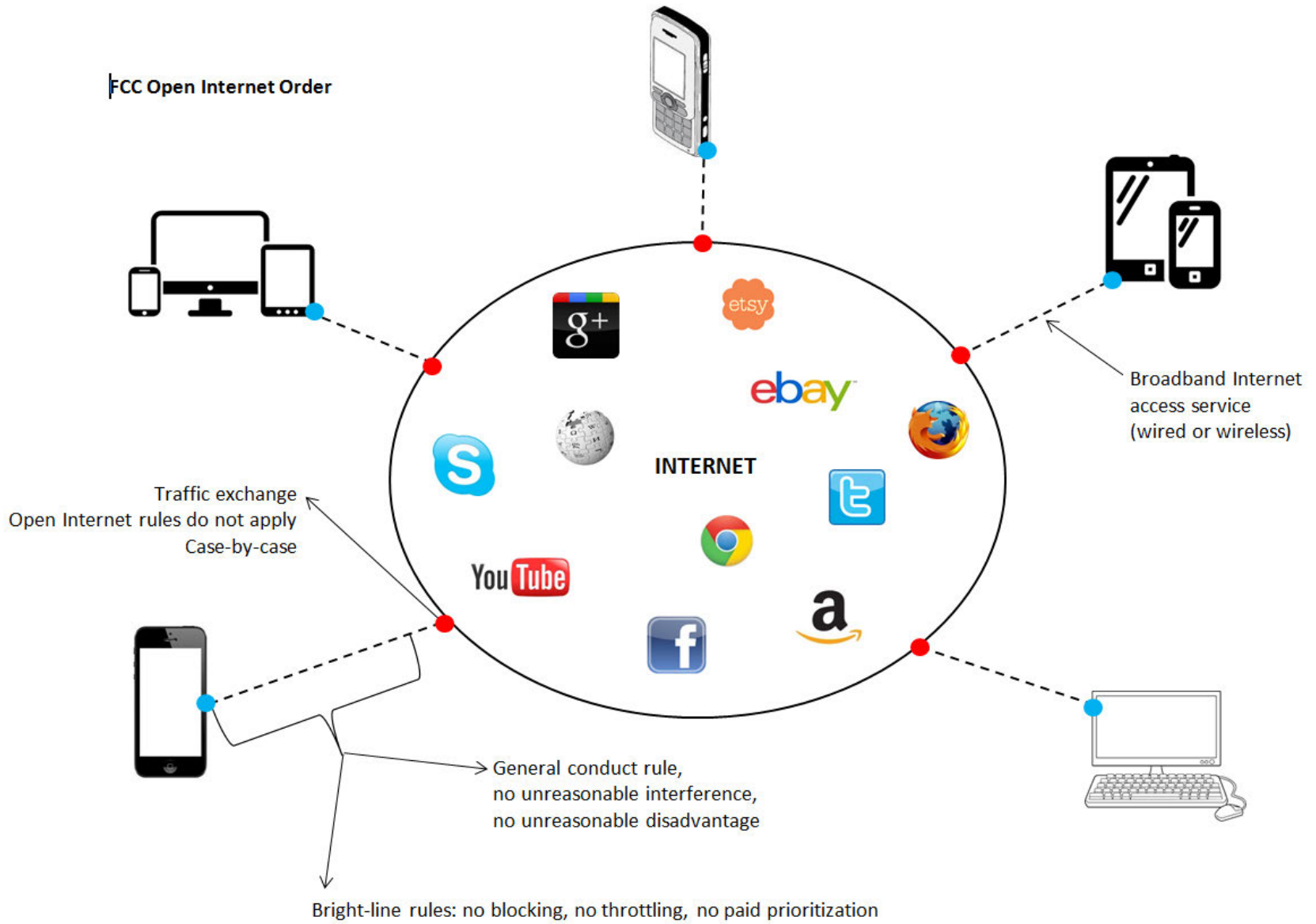
- Rules do not apply to data services that do not go over the public Internet – such as VoIP from a cable system, a dedicated heart-monitoring service, smart cars.
- However, these types of data services cannot be used to circumvent the Open Internet rules.
- The Commission will watch to ensure that data services do not become a loophole.

Internet Traffic Exchange



- Commission has jurisdiction over Internet traffic exchange.
- However, bright line rules and general conduct rule will not apply.
 - Commission concluded it does not have sufficient experience with Internet traffic exchange to intervene in the market and apply prescriptive rules.
- The Commission will apply an approach of watch, learn, and act on a case-by-case basis.

FCC Open Internet Order



Broadband Internet access service (wired or wireless)

Traffic exchange
Open Internet rules do not apply
Case-by-case

General conduct rule,
no unreasonable interference,
no unreasonable disadvantage

Bright-line rules: no blocking, no throttling, no paid prioritization

THANK YOU

Michele Wu-Bailey
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