



Open Internet: Promoting and Protecting the Free Flow of Information

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The views expressed in this talk are my own and do
not necessarily reflect the views of the FCC

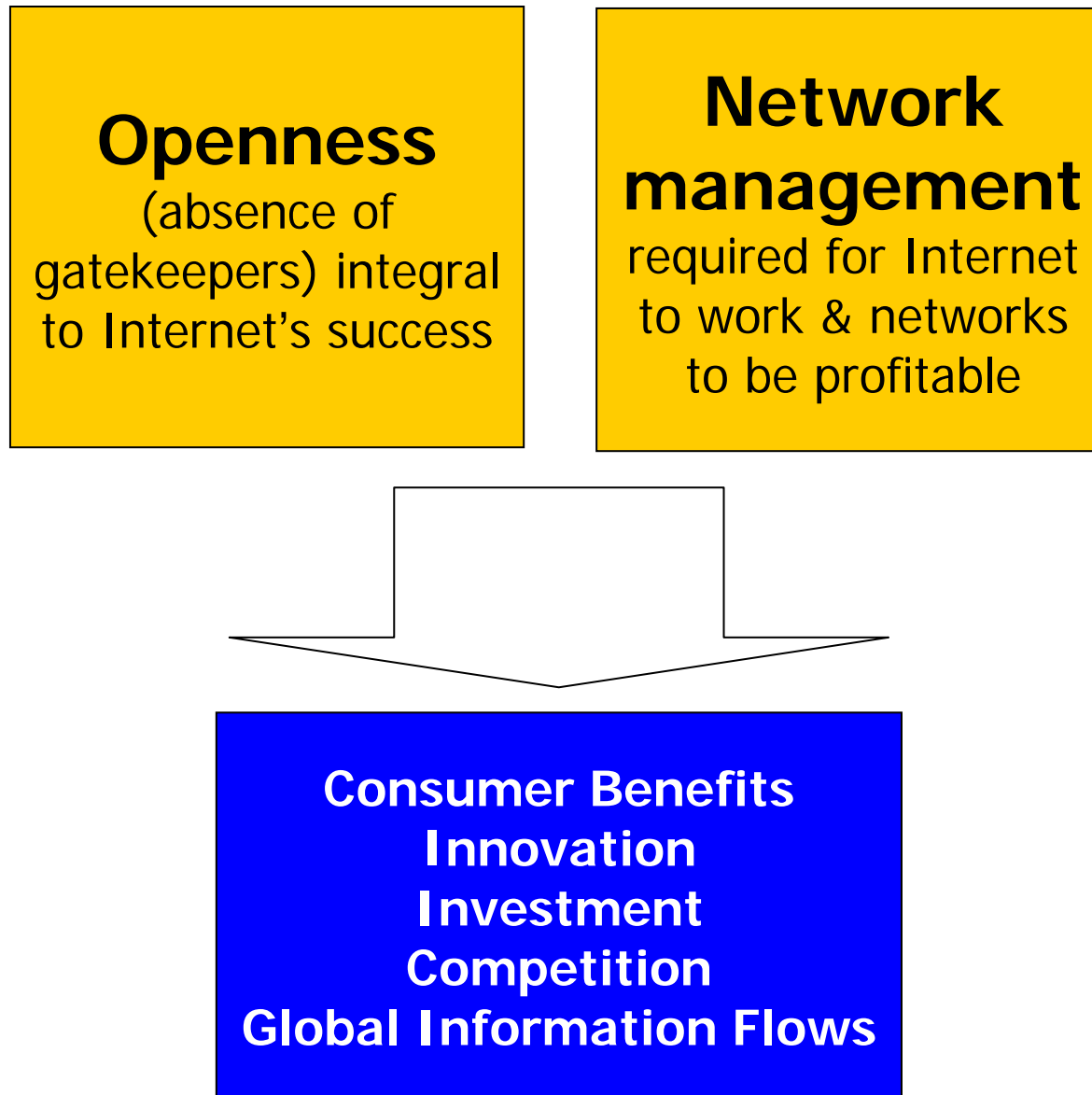
Overview

- Objectives
- Basic approach
- Need for action
- Rulemaking process
- OI Order

Key Objectives

- Protect the **freedom to read, speak, access information...**
- Protect the **freedom to innovate**
- Promote **investment – at the edge and the core of broadband networks**
- Protect and promote **global information flows online**

Basic Approach



The Need For Protections

Broadband providers

➤ can act as **gatekeepers**: all traffic goes through them

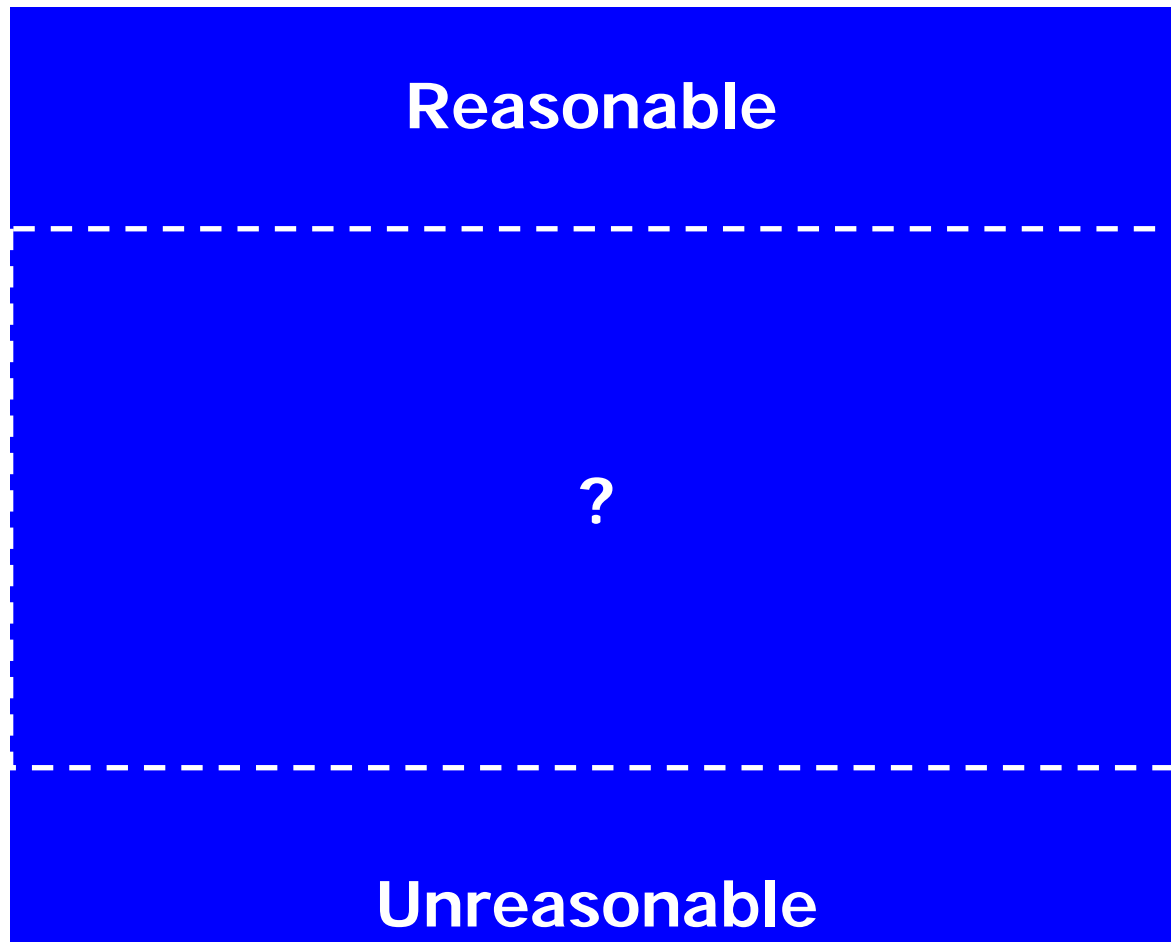
➤ have **incentives** to interfere with innovation and user choice

➤ **have blocked** or slowed lawful traffic on multiple occasions

+ lack of clarity and certainty regarding what's permissible and what's not

The Need for Protections

Network Management Practices



History of the Proceeding

- Aug. 2005 FCC unanimously adopts open Internet principles
- Oct. 2009 FCC begins seeking public input on enforceable open Internet rules
- Dec. 2010 FCC adopts three high-level open Internet rules

Open, Inclusive Rulemaking Process

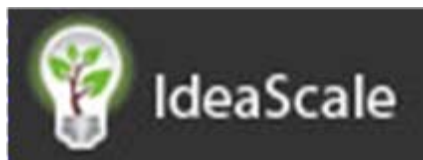
- Transparent, fact-based, and data-driven
- Over 200,000 comments, including on blog, IdeaScale crowdsourcing platform
- Public workshops
- Proposed specific language for rules to facilitate public comment



JOIN THE EVENTS



DISCUSS THE BLOG



TECHNICAL ADVISORY
PROCESS

The Rules

Transparency

- All broadband providers must disclose network management practices, performance, and commercial terms

No Blocking

- Fixed broadband providers may not block lawful content, applications, services or non-harmful devices.
- Mobile broadband providers may not block lawful websites, or applications that compete with their voice/video telephony services.

No Unreasonable Discrimination

- Fixed providers may not unreasonably discriminate in transmitting lawful network traffic over a consumer's broadband Internet access service.

Reasonable Network Management

- Broadband providers must be able to reasonably manage their networks.
- A practice is reasonable if it is appropriate and tailored to achieving a legitimate network management purpose.
- These purposes include (not exhaustive):
 - Ensuring network security
 - Addressing traffic unwanted by users
 - Reducing the effects of congestion

Monitoring, Deterrence & Enforcement

- Commission will apply the rules on a case-by-case basis
- Complaint process
- Commission may order provider to cease practices; impose fines and forfeitures
- Open Internet Advisory Committee
 - FACA to help guide the FCC
- Open Internet App Challenge
 - Soon to begin the judging process

Mobile

- “Why treat mobile differently?”
- Rules tailored to unique:
 - Technology
 - Market (including 700 MHz openness rules)
 - Stage of development
- Commission committed to monitoring mobile marketplace on an ongoing basis

“Specialized Services”

- E.g., IPTV, VoIP
- Risks and benefits
- Commission will closely monitor “market developments to verify that specialized services promote investment, innovation, competition, and end-user benefits without undermining or threatening the open Internet.”
- Rules define broadband Internet access service to encompass “any service that the Commission finds to be providing a functional equivalent of [broadband Internet access service], or that is used to evade the protections set forth in these rules”

OpenInternet.gov

The screenshot shows a web browser window displaying the OpenInternet.gov website. The browser's address bar shows the URL <http://www.openinternet.gov/>. The website header includes the text "OPENINTERNET.GOV BETA" and the "FEDERAL COMMUNICATIONS COMMISSION" logo. A navigation menu contains links for "About OPENINTERNET.GOV", "Get INFORMED", "JOIN the DISCUSSION", "SPEECHES", "WORKSHOPS", and "OpenInternet BLOG". A central video player features a video titled "Chairman Julius Genachowski on the Open Internet NPRM" with the subtitle "New Rules for an Open Internet". The video shows Chairman Genachowski speaking at a podium. To the right of the video player is a "WATCH the OPEN COMMISSION MEETING" button. Below this is a "GET FCC UPDATES" section with input fields for "EMAIL" and "ZIP" and a "SIGN UP" button. Further down is a box for "VISIT THE OFFICIAL SITE OF BROADBAND.GOV THE NATIONAL BROADBAND PLAN". At the bottom right is an "FCC CONNECT" section with social media icons for Twitter, Facebook, YouTube, Ideascale, Blogband, and RSS. A dark blue footer contains the text "WELCOME to OPENINTERNET.GOV" and the message "Together we can preserve a free and open Internet to promote greater innovation, job creation, and a more connected America."

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