Senators to Wheeler: Act Quickly on Net Neutrality Reform

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A group of senators have sent a letter [1] to FCC Chairman Tom Wheeler, urging him to act quickly to fix the upheaval caused when an appeals court last month struck down long-standing net neutrality rules, as they applied to Internet Service Providers (ISP).

The letter, which was signed by five senators, including Al Franken (D-Minn.), Ron Wyden (D-Ore.), Jeff Merkley (D-Ore.), Ed Markey (D-Mass.), and Richard Blumenthal (D-Conn.), urged Wheeler to "move quickly to protect Internet users and the open Internet."

"The Court's ruling threatens the freedom of innovators to compete on an open, neutral platform," the Senators state, arguing that without the old rules that preserved fair competition "deep-pocketed incumbents will have the ability to enter into arrangements with Internet Service Providers that disfavor the delivery of their competition."

The letter comes after Wheeler earlier this week said in a speech [2] at the University of Colorado that he will soon outline a plan that would address the issue. The prevailing opinion is that Wheeler will reclassify ISPs as common carriers, which would bring them under the rules laid out in the Telecommunications Act of 1996.

The D.C. Circuit Court of Appeals in January struck down the FCC's Open Internet rules. The rules were aimed at ensuring that large Internet Service Providers (ISPs) couldn't discriminate against the types of traffic carried over their networks. Verizon was responsible for the suit that brought the issue to the court's attention.

At issue for the courts was how the FCC categorized ISPs not whether the FCC had

the authority to regualte broadband providers. Under previous chairman Julius Genachowski, the commission classified broadband providers in such a way that they were exempted from treatment as common carriers. As such, the Communications Act prohibits the FCC from regulating them.

The ruling has raised concerns that ISPs like Verizon could opt to give preferential bandwidth to its Redbox Instant Streaming service, while slowing or outright blocking a competing service like Netflix.

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