

## **Report: After Backlash, FCC Drafting New Open Internet Rules**

Andrew Berg

The FCC may be looking to further revise its proposed net neutrality policy due to a backlash at its first attempt to craft a set of rules.

According to a [report](#) [1] from the Wall Street Journal, the commission will reportedly release a new draft of its rules early this week. The revised document will include new language that would ban broadband providers from blocking or slowing down websites but would still allow them to strike deals where content companies could pay for faster delivery of video and other content. The new rules would apparently make it clear that the FCC intends to closely scrutinize those deals to ensure they don't discriminate against non-paying services.

The new rules come in response to an outcry from consumer advocacy groups and a variety of websites, such as Netflix, that claimed the FCC's new rules would lead to Internet fast and slow lanes that would unfairly affect smaller players.

Wheeler's new draft will reportedly also include a request for additional comment on whether to reclassify broadband providers as a public utility, something the FCC has been reluctant to tackle given what would likely be a lengthy legal challenge.

Additional comment will also be sought on net neutrality proposals from Mozilla Foundation, as well as Tim Wu, the Columbia Law Professor who coined the term "net neutrality."

A spokesman for the FCC declined to comment on the report.

Commissioner Mignon Clyburn posted an [unusual blog](#) [2] on the FCC's website, saying that the outpouring of comments and emails to the issue made her break from her usual policy of not commenting on an issue prior to a vote.

In the blog post, Clyburn clarified her earlier position when she voted to approve the 2010 Open Internet Order. At that time she voiced four concerns, saying she would apply the fixed rules to mobile services; prohibit pay for priority arrangements altogether; encourage the FCC to carefully monitor whether the exceptions in the order jeopardized the principle that an open Internet truly is available to everyone; and suggests that she favors moving ahead with a different framework regarding the FCC's legal authority over broadband providers.

"There is no doubt that preserving and maintaining a free and open Internet is fundamental to the core values of our democratic society, and I have an unwavering commitment to its independence," Clyburn wrote. "My mind remains open as I continue to evaluate how best to promote these fundamental, core values."

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