Network neutrality: From policy to law to regulation

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This book explains the beginnings of net neutrality regulation in the United States and Europe, and some of the current debate over access to Specialised Services: fast lanes with higher Quality of Service (QoS). It examines the new European law of 2015 and the interaction between that law and interception/privacy. The book takes a deep dive into UK self- and co-regulation of net neutrality. In each of the national case studies, initial confusion at lack of clarity in net neutrality laws gave way to significant cases, particularly since 2014, which have given regulators the opportunity to clarify their legislation or regulation. The majority of such cases relate to mobile net neutrality, and in particular so-called ‘zero rating’ practices. The book compares results and proposes a regulatory toolkit for those jurisdictions that intend effective practical partial or complete implementation of net neutrality. It sets out a future research agenda for exploring implementation of regulation. The book outlines competition policy’s purpose, referring to the exceptionally rigorous recent analysis of competition law suitability to regulate net neutrality by Maniadaki. Having analysed regulatory tools with little chance of success, it then examines what communications regulators actually do: regulating telecoms access based on the UK case study. The book considers whether zero rating poses a serious challenge to Open Internet use. It explores some of the wider international problems of regulating the newest manifestation of discrimination: zero rating. The book also considers the various means by which government can regulate net neutrality.

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Columbia University law professor Tim Wu coined the term "network neutrality" in a 2003 paper about online discrimination. At the
time, some broadband providers, including Comcast, banned home internet users from accessing virtual private networks (VPNs), while others, like AT&T, banned users from using Wi-Fi routers. Wu worried that broadband providers' tendency to restrict new technologies would hurt innovation in the long term, and called for anti-discrimination rules. The Bush-era FCC took a first pass at anti-discrimination rules for the internet in a policy statement i... WIRED tracks his progression from nerdy high school student to policy wonk to head of the country's top telecom regulator. Plus! Local legislation and more WIRED net neutrality coverage. Network neutrality is a series of rules centered on the idea that Internet Service Providers (ISPs) must service customer requests in a way that is agnostic to data being provided. Net neutrality has... First, AT&T would have to submit to regulation of the rates they can charge customers; the government was to ensure that all Americans were paying the same, fair, price. Second, AT&T would have to interconnect with smaller services in rural areas. AT&T, being concerned with economies of massive scale, did not consider these rural markets lucrative and was disinterested in building infrastructure to reach them. The act required AT&T to provide would-be-competitors access to their infrastructure in the interest of universal service. Supporters of net neutrality regulation shouldn't get unduly excited about this roll call, which is technically a “resolution of disapproval” under the 1996 Congressional Review Act. The law provides fast-track procedures under which Congress can expeditiously review regulations coming out of the executive branch. That was intended to allow Congress to reclaim its constitutionally mandated responsibility to make the laws. But this does not mean that the perpetual motion machine of network neutrality is about to stop. Efforts to restore broadband regulation will continue. Not only is repeal under challenge in the courts, but dozens of states also are imposing their own neutrality rules. Efforts to legislate a limited neutrality law also are moving forward in Congress.