

## The FCC's Draft Proposed Rules for Preserving the Open Internet (Oct. 22, 2009)

### *What is the Open Internet, and what does the FCC have to do with it?*

The “open” Internet is the Internet as we know it. It's “open” because it uses free, publicly available standards that anyone can access and build to, and because it treats all traffic that flows across the network in roughly the same way. This means an innovator and a garage or a student in a dorm room can easily invent and then launch a new online service, and that content from a small business or a blogger can reach customers and audiences as easily as content from a multinational corporation or a major newspaper. Once you're online, you don't have to ask permission or pay tolls to broadband providers to reach others on the network. If you develop an innovative new website, you don't have to get permission to share with the world. Many believe that this freedom to communicate and innovate without permission is a big cause of the Internet's remarkable success.... (excerpted from OpenInternet.gov)

### *The Proposed Rules:*

#### **Content.**

Subject to reasonable network management, a provider of broadband Internet access service may not prevent any of its users from sending or receiving the lawful content of the user's choice over the Internet.

#### **Applications and Services.**

Subject to reasonable network management, a provider of broadband Internet access service may not prevent any of its users from running the lawful applications or using the lawful services of the user's choice.

#### **Devices.**

Subject to reasonable network management, a provider of broadband Internet access service may not prevent any of its users from connecting to and using on its network the user's choice of lawful devices that do not harm the network.

#### **Competitive Options.**

Subject to reasonable network management, a provider of broadband Internet access service may not deprive any of its users of the user's entitlement to competition among network providers, application providers, service providers, and content providers.

#### **Nondiscrimination.**

Subject to reasonable network management, a provider of broadband Internet access service must treat lawful content, applications, and services in a nondiscriminatory manner.

#### **Transparency.**

Subject to reasonable network management, a provider of broadband Internet access service must disclose such information concerning network management and other practices as is reasonably required for users and content, application, and service providers to enjoy the protections specified in this part. . . .

*Through July 15, 2010, the FCC is taking public comment on its proposal to reclaim authority over broadband services. That authority was voluntarily surrendered in 2002 by the Bush-era FCC in a 3-2 partisan vote. The FCC will also take replies from the public to the July 15 round of public comment. Replies can be submitted through Aug. 12, 2010. In effect, there are two windows for public comment. Based on the accumulated public-comment record, the FCC is expected to vote on reclaiming its authority this coming September. **All public-comment filings should refer to GN Docket No. 10-127.***

Online filings can be made via one of the these three websites:

1. <http://fallfoss.fcc.gov/ecfs/>
2. <http://blog.broadband.gov/?categoryId=494971>
3. <http://broadband.ideascale.com/a/ideafactory.do?discussionID=11271>