

**Internet** from 1A

A pivotal moment came with a court victory by Verizon in 2014, when the D.C. Circuit Court exempted service providers such as Verizon from FCC net neutrality rules as long as they were not "common carriers," a classification reserved for public utilities.

A public debate then ensued as the FCC weighed whether to reclassify internet providers as common carriers or institute a tiered system with "fast lanes" and "slow lanes" based on how much a customer paid.

A massive public and even

presidential rejection of the tiered system moved the FCC to decide in its landmark 2015 Open Internet Order to classify broadband providers as common carriers under Title II of the Telecommunications Act of 1934, effectively putting all service providers under FCC regulatory jurisdiction. The order also instituted distinct bans against blocking content, "throttling" traffic and paid prioritization (which can lead to a tiered system) on grounds that "broadband providers hold all the tools necessary to deceive consumers, degrade content, or disfavor the content that they don't like."

Last Thursday's decision marked the latest turning point in

what has been an ongoing battle because it guts what net neutrality advocates consider the most important elements of the 2015 order, including the bans on blocking, throttling, paid prioritization and the general conduct rule — which allows the FCC to review and punish discriminatory actions.

The degree of concern for consumers regarding Thursday's repeal depends on what points of contact they use for the internet. Worries over how their cable line connection at home might be manipulated by ISPs differs from concerns about how mobile service could be tampered with by mobile providers. And, in some cases, the same company may cover both.

Florence residents are relatively lucky in that they have their pick from among large and small providers for their internet needs. Larger providers like Charter Communications (which brands its broadband service as Spectrum) and CenturyLink, offer fixed (cable or DSL) service to most of the city. On the other hand, smaller local ISPs such as OregonFAST.net and Siuslaw Broadband provide a combination of fixed wireless and fiber optics to the greater Florence area.

Florence's biggest internet providers, CenturyLink and Spectrum, have downplayed

concerns prior to Thursday's FCC vote.

John Jones, CenturyLink's Senior Vice President of Public Policy and Government Relations, on July 12 blogged his support of keeping the internet "open and free — without regulation."

Jones welcomes the roll back, arguing that a less regulated market will bring more companies and thus more consumer choice. A heavily regulated market, he says, stymies infrastructure investment, particularly in rural communities.

"I don't buy any of that," said Rogato.

His business has invested heavily into expanding and upgrading his own infrastructure of hundreds of access points in Florence.

"It is painful for little companies. But these large companies — their profits are in the billions. They've got the money," he said.

Rogato added that the technology and its affordability are only getting better.

"The price of equipment is going down, down, down and the capacity is going up, up, up," he said.

Siuslaw Broadband, too, has infrastructure pursuits in Florence, including gigabit fiber.

Wright takes CenturyLink's point.

"There is truth to both sides of this, unfortunately," he said. "More regulations by nature decrease innovative spending. The harder it is to perform a task due to excessive regulations, the less likely any person or company will do it."

For Charter Spectrum's part, the company has had a well-disposed relationship with its net neutrality commitments in the past, even as CEO Tom Rutledge in an April press release

embraced the FCC rollback as "a welcome and necessary step" toward change.

In 2016, Charter voluntarily committed to a generous list of net neutrality principles as a condition of its acquisition of Time Warner Cable. Time Warner Cable itself, however, is currently being sued by New York's Attorney General Eric Schneiderman on grounds that it throttled its customers' access to Netflix. Though the alleged misbehavior occurred before the merger, Charter remains bound to the legal scandal. In addition, Charter's merger-based commitment to net neutrality has a 3-year expiration date, leaving only speculation as to what approach it will take when that commitment expires in 2019 — or what effect Thursday's repeal may have in the near future.

Florence's local ISPs, OregonFAST.net and Siuslaw Broadband, have the good fortune of not being embroiled in the drama of national players and can watch the debate unfold from relatively unaffected sidelines.

Wright feels community connections are part of the small-town advantage.

"Our staff has kids in the school district, coaches local sports teams, goes to your church and shops at the same grocery store," he said.

One clear challenge to smaller ISPs, though, is eating the cost of bandwidth-hungry content providers. Year upon year, streaming sites especially have contributed to a perpetually rising bandwidth requirement; and the effort by internet providers to upgrade networks has been costly.

"It has cost us money and we think the content providers should've contributed toward that in some way," said Rogato.

"But on the other hand, the other argument is, well ... let's say they have to pay us \$1 per user per month. The customer would have to pay that."

Net neutrality advocates argue that defining ISPs as common carriers does away with that problem, but Rogato doesn't believe it's useful to think of the internet "... like streets and highways, owned by the public. There needs to be competition because streets don't change, but the internet does," he said. "One of the misconceptions they keep saying is that ISPs are going to slow down your traffic, but we don't mess with anybody's stuff. We're the little guys. ... That stuff doesn't hit home to us."

"The only time I would go in and limit someone's bandwidth is if they get some kind of virus there," Rogato added.

Fears that internet providers are looking to create a tiered system are also unfounded, according to Rogato.

"They're making a big deal about it," he said. "It's all something that comes from a misunderstanding."

If one company behaves badly toward its customers, Rogato believes people will switch to another.

"The free, open market always repairs itself. I believe that. It really does," he said.

Wright acknowledges there are some valid concerns about a tiered internet.

"The manner in which it has been discussed is flawed," he said. "The internet is a 'network of networks.' We own our network. We can connect it to whomever I want. I'm selling an internet service, though, so if I wasn't connected to the entire internet, I would have lots of unhappy customers."

See **INTERNET 11A**

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