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'Network neutrality' supporters vow fight  
House bill a setback for open access to Internet

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Washington — Consumer groups and Internet companies on Friday shook off a legislative loss in the House and vowed to step up efforts in the Senate to preserve what they call "network neutrality."

"We are looking forward to the fight in the Senate," said Gigi Sohn, president of Public Knowledge, an advocacy group of lawyers, academics and others who support open access to the Internet.

The net neutrality supporters were handed a setback Thursday night when the House voted 321-101 in favor of a telecommunications reform bill that contains relatively weak neutrality provisions.

Providers of high-speed Internet service, such as phone and cable companies, want to be free to charge fees for premium service. For example, they could offer much faster movie downloads to customers of entertainment companies that are willing to pay for the higher speed.

Such fees, the providers say, would defray the cost of building more sophisticated networks to deliver advanced services, while holding down consumer subscription costs.

Public-interest groups want Congress to require the telecom companies to treat all Web sites and services in a neutral way, not favoring one over another.

They say fees would discriminate against small companies and start-ups, making it harder for them to compete against large, established companies and possibly depriving consumers of innovative services.

The House legislation, which primarily deals with opening cable TV markets to competition from phone companies, gives the Federal Communications Commission power to investigate discrimination in online access, but only after the fact.

Rep. Edward Markey (D-Mass.) tried to attach an amendment to the bill ordering Internet access providers to refrain from discriminating against or interfering with users' ability to access or offer lawful content. It was defeated 269-152.

The telecom reform bill introduced in the Senate by Commerce Committee Chairman Ted Stevens (R-Alaska) merely calls for the FCC to do an annual study on neutrality. But several committee members are offering amendments that would provide tougher neutrality protections.

The committee has scheduled a hearing on the telecom bill for Tuesday, and plans to vote on it the following week.

House telecom subcommittee Chairman Rep. Fred Upton (R-Mich.) said last month that he hoped the full Senate would pass its version of telecom legislation in July, allowing House and Senate negotiators to work out differences between their two bills in August. That would clear the way for final passage of telecom reform this fall.

Andrew Schwartzman, president of the nonprofit Media Access Project, said neutrality supporters want to slow down the process to allow more time to build public support for their position. He said in a telephone news conference that most Americans aren't yet aware that "this is about the future of the Internet."

Also, because more Democrats support neutrality than Republicans, Schwartzman said he'd rather see action wait until after this fall's congressional elections, in which many political analysts think Democrats might gain seats.

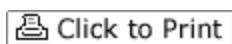
Passage of the House bill marked a major victory for phone companies in another area, the subscription television market. The legislation would let a national franchise process replace the existing system, in which companies negotiate franchise contracts one locality at a time.

That process can take months or even years.

BellSouth Vice President Herschel Abbott issued a statement urging the Senate to follow the House's lead "so that legislation can be signed by the president this year."

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