

MEDIA ACCESS PROJECT SAYS THAT FCC TAKES INTERNET BACK TO THE FUTURE: PROPOSAL TO LET CABLE COMPANIES TREAT MODEM SERVICE LIKE CABLE TV THREATENS THE INTERNET AS WE KNOW IT



MAP Vows To Appeal: “Now it will be up to the federal courts to fix things.”

Schwartzman: “Calling cable modem access an ‘information service’ means lousy customer service, inability to access the entire internet, no right to choose your ISP and limits on public’s use of the internet as a platform for speech and expression. It’s cable TV all over again, but worse.”

The MAP has complained that today’s FCC decision attempting to classify cable modem service as an “information service” threatens to bring the worst attributes of cable TV service to the Internet. If not reversed on appeal, the decision means that cable modem service will not be offered on an open basis like telephone service, but with a closed network. MAP intends to pursue such an appeal.

MAP’s President, Andrew Jay Schwartzman, said that “Without the right to choose their Internet service provider, cable Internet customers will have to accept whatever kind of Internet service their monopoly cable company offers as well as the same inferior customer service the cable industry has always forced upon its captive subscribers.”

As the nation’s leading public interest telecommunications law firm, MAP has warned that the “information service” designation threatens free speech on the Internet. Unlike dial-up offerings which permit customers to go anywhere they wish on the Internet, cable companies can - and will- preclude access to some Internet sites, especially if they offer video services that compete with cable TV.

MAP’s Associate Director Harold Feld stressed that the cable TV is a one-way service. Applying that model to the inherently interactive Internet means that users’ speech faces censorship and other limitations that will, quite literally, stifle free speech, democratic discourse and artistic expression.

By defining Internet access as an “information service,” the FCC seeks to evade laws requiring networks to interconnect and that require a network owner to let a rival offer services. As a result, the decision will let monopoly cable providers decide what services and content subscribers can access.

“If the cable companies don’t want you to see movies over the Internet that compete with their pay-per-view channels, then you won’t,” said Feld. “If they don’t want their subscribers to say bad things about their local cable tv service, then you won’t get to upload them to your web page. If they don’t want you comparing prices between them and DBS systems, you won’t get to see those pages. This decision, if it stands, makes the cable companies God of your web browser, with the ability to exercise absolute control. We shouldn’t have to give up our freedom to chose, to see and say what we want, as the price of faster Internet access.”

Feld also observed that “80% of Americans have access to a broadband Internet provider, but only one in ten actually subscribes. The monopoly provider strategy favored by the Commission just doesn’t work. You need competing ISPs to market the service and satisfy niche customers.” A panel of experts within the Bush Administration recently identified adoption by subscribers, rather than deployment of technology, as the limiting factor in broadband adoption.

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