

Some commenters, including “NTCA-The Rural Broadband Association”, complain about what they say is an unjustified focus on the “last mile” ISPs. Like many Americans, I have access to only a single home broadband ISP, and ISPs’ demonstrated reluctance to compete on each others turf suggests this is likely to remain the case for the foreseeable future. Consequently, these ISPs have much greater leverage over consumers than does any particular web site, where consumers are typically able to choose a competing service.

Some commenters, including Comcast, complain about “onerous utility-style regulation”. What I want from my ISP is exactly a utility-style service, so utility-style regulation seems completely appropriate. ISPs may force me to accept other services, or jump through hoops to avoid them, but all I want from an ISP is internet access. Comcast also claims that they have always supported an open internet, but their throttling of peer-to-peer networks leads me to suspect that they might throttle other services they find inconvenient if there were no regulatory framework to prevent it. For example, I use Ooma instead of Comcast’s VOIP offering because it provides a quality service at much lower cost than Comcast’s competing product. Comcast might find it much easier to compete by throttling the competition, or by forcing them to pay tolls to maintain reasonable speeds.

Broadband wired internet access has become crucial to many Americans, including myself. As long as it is often accessible only through a single provider in any given location, it is important that it be regulated to prevent providers from abusing their monopoly power.

I further believe that utility-like regulation is an entirely appropriate mechanism to use in regulating wired ISPs. I think most Americans only want a utility-like service from their ISP, and it is certainly what I want.