

In RE: Docket 07-52, 08-7.

Subject abstract: Comcast - allegations of slower downloading/connection speeds. It's different in some respects than the FCC and some others have thought.

I have just obtained information via phone with a customer service representative about the real nature of the allegedly slower connection speeds that some Comcast users have been experiencing and have filed complaints with the FCC about this.

This is largely a function of 'network congestion' normally, although there are situations that warrant the use of so-called 'throttling' and other network management methods.

Typically, according to the rep, you may have say 100 people on a node. A node is the connecting point funneling the traffic to and from all the users on it. If one person downloads a large file, sometimes it will affect the speed at which the others may be able to connect for a brief amount of time.

So it is not possible to fully maintain the advertised speed, whether it be 768kbps, or 8mbps, or whatever plan you purchase in between, if you are using a cable modem to connect, all the time. I have had anywhere from 56kbps to 1.4mbps depending on the 'network congestion' in the neighborhood node where I did the download of a podcast episode that was too big to get on dialup, and a friend downloaded a 650mb disk image for the Linux operating system.

The rep also said that they do have to deal with abuses of the network, including huge amounts of downloading, most people will only get files occasionally, like daily for several items if they subscribe to several podcasts that are larger files. Obviously streaming video will take more.

I mentioned in previous comments in these dockets that the service providers will need to be able to manage networks to ensure that the entire network remains stable especially if they find abuse situations, such as spam or illegal activity that is causing problems. A way must be found to protect the individual user experience and maintain advertised speeds while dealing with the network abuse issue. That would be the ideal, and hopefully one day it can be done without causing problems for the other users.

Another issue is advertising of services. Comcast advertises a very useful service for downloading large files called 'Power Boost'. Some people think it will download the entire file at the higher speed, however it does not, but that caveat is not mentioned. The 'Power Boost' feature only 'boosts' the speed of half of the download. The advertising of 'Power Boost' for example, would have to include a disclaimer stating this fact. Perhaps there needs to be more disclosure on an ISP's bandwidth

management practices, especially those that affect the consumer both good and adversely. The commission needs to look into the advertising area of the Comcast matter as well to see what needs to be done to ensure they can handle their network appropriately while disclosing limitations and other policies in a clear, plain English way, not like the fine print brochures you get from credit card issuers, but clear, concise explanations that the end user can understand.

That would have prevented the Comcast complaint, for example. We would not have had this issue if Comcast were more forthright about the methods it uses and why, and who the abusers (generally) are and what types of problems they have had as far as network abuse goes when it comes to downloading and uploading or accessing bandwidth intensive files like video and similar media.

What does need to be considered as far as nondiscrimination goes, is to ensure that the average user can access the content desired, bit torrents, mp3's, mp4 (video), iPod video, etc., is not restricted, subject only to the vagaries of network congestion. If abuse is found, the ISP should be able to deal with that, but otherwise they must be required to keep hands off the individual's connection with sites like YouTube, Vuze, streaming audio, etc., after all, you can only view one thing at a time. If ISPs slow connection access speeds to one website and not all, they are violating Title II and maybe Title I.

IPTV will obviously need new safeguards for the customer too, and other emerging technologies as well. There are a lot of emerging technologies that will place more demands on the existing networks, but also newer technologies that will mitigate the problems causing network congestion developed at the same time, the FCC must watch the technology community generally, and adjust its policies in the areas brought to their attention in the Comcast inquiry, my comments regarding throttling, etc., on 2/13/08 and today, and other commenters mentions of issues that could adversely affect them.