

Shaping internet traffic is a hard thing for a consumer to measure, and thus it is a hard thing against which someone could hold Comcast accountable.

For example, say a consumer pays Comcast for a line that provides 8mbps download and 1mpbs upload. Any particular connection to any particular web site, ftp site, instant messenger service, internet phone service, IRC chat server, online gaming service, or peer to peer file transfer all are susceptible to slowdown from all sorts of day-to-day conditions and events, such as a high amount of net traffic to that particular site or service, or hardware failure somewhere along the route between consumer and server or service, or even an accidentally cut transcontinental data cable. With a traffic shaping system like Comcast has employed, the consumer has no way to know if a slow speed she is seeing is caused by conditions outside of Comcast's control, or Comcast is purposely throttling her service. And thus, the consumer has no way to know when Comcast is at fault, making comparison between Comcast and its competitors almost impossible. Without a way for a consumer to see what

is being throttled and way, Comcast is more or less safe from being held accountable for their promises and service contracts. This is a practically guaranteed recipe for abuse of the consumer.

And even if a company like Comcast is up front about traffic shapping, what methods are used or what types of traffic will be targeted, it is a non-trivial process to switch broadband services to a competitor to compare the services. And that assumes a broadband competitor is even available to a consumer. If it's not, the consumer doesn't HAVE any alternatives to go to when they want an unhindered Internet connection.

At least if Comcast is forced to treat all traffic as equal, then the consumer will know what it is that they are paying for, and there will never be a question in their mind about whether their traffic is being artificially constrained by the ISP.

I believe that it is the FCC's responsibility to put an end to the harmful practice of ISP level traffic shaping. I'm not going to claim that "the data wants to be free" or some other nonsense, but it is unfair to the consumer to be put into a situation where it is almost impossible to know what it is she is buying.

This is increasingly important as the Internet is such a vital resource for economic growth, civic participation and free speech, and it should be the government's role to make sure that this vital resource is not unnecessarily hindered by a single company that can get away with it because the consumer will have no choice but to put up with it.

The only way consumers can have a meaningful understanding of what they are buying when they buy broadband is to keep the system as simple and straightforward as possible.

Thank you for your time.