

# A Level Playing Field For Video

Presentation to FCC staff  
May 7, 2012

# Broadband Caps

		
250 GB	150 - 250 GB (overage fees)	5 GB tier (overage fees)

# Capped Services



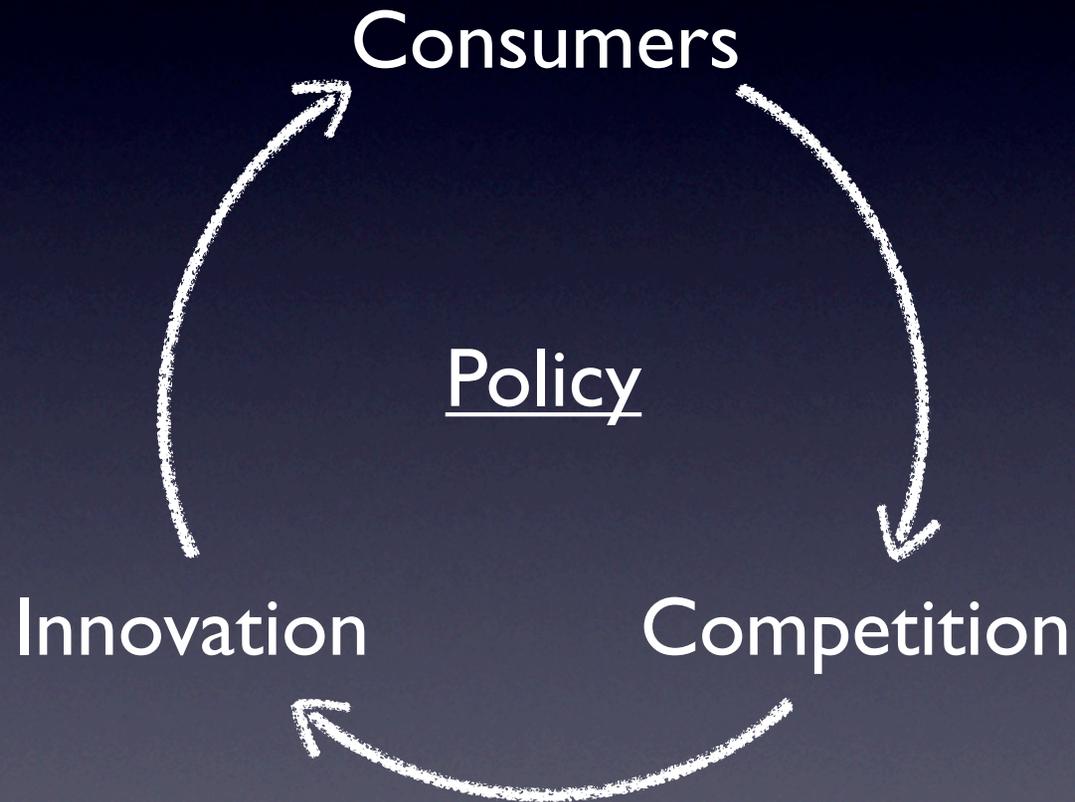
# Cap-exempt services

		
Xfinity on Xbox	U-verse on Xbox	TWC iPad app

# Caps Not For Congestion

- “[C]ongestion management practices are independent of, and should not be confused with [...] a specific monthly data usage threshold[.] [A] cap does not address the issue of network congestion, which results from traffic levels that vary from minute to minute[.]” -- Comcast

# Virtuous Cycle



# Open Internet Issues

- Unreasonable discrimination
- Blocking
- Transparency

# Discrimination

- limits end user control
- not transparent
- not use- or application-agnostic, but rather interferes with consumer choice and distorts competition

# Blocking

- If the first bit over the cap is not a Comcast, AT&T, or TWC bit, it's blocked (or differentially priced)

# Question:

- What's wrong with a 'free service'?

# Answer:

- Economically irrational or anti-competitive

# Transparency

- Differential treatment of affiliated services opaque to consumers
- Extent of and justification for differential treatment has not been publicly disclosed

# Not Title VI

- All services in question...
  - share last-mile capacity with broadband Internet access services
  - depend on broadband Internet access services for operation and delivery



The Future