

In the pay TV space broadcasters and cable networks (content providers) get to charge the service provider and each year they are increasing the cost of TV to the point it is getting too expensive for consumers) online the service provider is doing the reverse - charging the content provider and it is still getting more expensive. Netflix should not have to pay interconnection fees to Comcast. Nor should Comcast be permitted to exempt its own XFINITY TV service from their data caps - that is a violation of Network Neutrality. If you cap data all data should be capped equally regardless of origin point or destination point. It is because of Comcast's previous bad behavior that as a result of its NBCU merger it was subjected to Network Neutrality conditions until at least 2018. Our rights should not come with an expiration date.

In defense of its merger with Time Warner Cable Comcast brags that the merger would be good for the Open Internet and points out it is still subject to Net Neutrality, and TWC customers will by extension if merger is approved also be subject to Net Neutrality protections. Comcast is trying to paint it and its merger as a champion of the Open Internet. This is misleading and laughable. Remember it was only because of previous bad behavior from Comcast that it was subjected to Network Neutrality conditions when its merger was approved with NBC Universal. So what was this bad behavior: In 2008 Comcast was sanctioned by the FCC after it was discovered they were illegally throttling Bit Torrent a popular peer 2 peer file sharing network and client/software. Comcast reacted by suing the F.C.C. and a court agreed with Comcast that the F.C.C. did not have the legal authority to protect consumers from it's discrimination in that case. That case was Comcast v. F.C.C. Now FCC Chairman Julius Genachowski proposed to reclaim authority using a "Third Way" in which the FCC reclassifies broadband as a telecom service but exempts it from line sharing and price control rules. However, under pressure from some in Congress and with fierce political opposition from the far right and from the very corporations that would be affected by this he backed down. However, he still had the FCC pass a watered down 2010 Open Internet Order which was struck down by the courts in Verizon Wireless v. FCC. This is the second time FCC rules mandating Net Neutrality have been struck down for using the wrong legal framework.

Under Clinton-Gore Administration broadband was a telecom service and was competitive. Under Bush Cheney though broadband was misclassified an information service and ever since we have been falling behind other countries in the world in broadband penetration, pricing, having fasted speeds and in competition/consumer choice. Indeed the Clinton Administration would not have allowed any company to monopolize the Internet be it a cable or telco (AT&T, Comcast, Time Warner Cable, Verizon, CenturyLink), or a tech company (Microsoft, Apple etc) and for this reason sued Microsoft for anti-competitively trying to extend its Windows desktop computer operating system monopoly on to the Web by tying their Internet Explorer web browser with Microsoft Windows with which they could monopolize the browser market and then by extension perhaps the search market, social networking market etc.