



Written by [C. Mitchell Shaw](#) on February 27, 2015

## Net Neutrality: Beginning of the End of the Internet?

The FCC voted yesterday to begin regulating the Internet as a public utility under a plan known as Net Neutrality. Let that sink in. The federal government will regulate the Internet in the same way the agency already regulates the telephone and cable television industries — and it calls that “neutral.” Having been denied the ability to regulate the Internet in the past because of a lack of authority, the FCC has now simply reclassified the Internet under Title II, and — voilà! — they have the authority to regulate it.



One problem with this action is that the Internet does not belong in the same category as telephones and televisions. It is “other”: It has its own category. The Internet is the most innovative, pervasive, free, and open form of communication man has ever known. Access to it is more available now than ever before, and an increasing number of people are using it as the primary method for their communications. [When used properly](#), the Internet allows private, anonymous communication in a way that is unrivaled. But beyond that, it is also a marketplace, a research network, an alternative news source, and much, much more. And the Internet is all these things because it grew up largely unhindered by government regulation (read: interference).

With the three-to-two vote of unelected bureaucrats unaccountable to the people, that is changing. It is as sure as can be that Net Neutrality will change the Internet. As the Internet is bogged down in regulation by an agency that has no constitutional authority even to exist, let alone to regulate the Internet, the innovation that birthed and nursed the Net to youthful maturity will be replaced by concerns about compliance with regulations. Instead of answering to the concerns of consumers — as is done in a free market — ISPs (Internet Service Providers — through which a company such as Netflix provides services to Internet users) will begin focusing their attention on lobbying the FCC. The result will be an Internet that has lost its youthful energy and is mired in rules that aren’t even known yet.

The reason the rules aren’t yet known is that FCC Chairman Wheeler decided to keep them secret. He has hinted at the powers the new rules grant to the FCC, though, and they are frightening. In an op-ed piece for *Wired* on February 4, Wheeler wrote, “My proposal includes a general conduct rule that can be used to stop new and novel threats to the Internet. This means the action we take will be strong enough and flexible enough not only to deal with the realities of today, but also to establish ground rules for the as yet unimagined.”

What constitutes “new and novel threats to the Internet” is left to be defined later.

Perhaps as disturbing as the secrecy of the plan is the underhanded method by which it was promoted, using — ironically — the Internet itself. In the “comments” section of many online articles, activists and bots (programs that post while appearing to be real people) posted emotional and factually erroneous appeals for regulation to “save the Internet.” One example is this comment that appeared verbatim in the comments section of several stories under several different usernames:



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Cable companies need to be regulated. They're working together to prevent having to provide better service or lower prices. The internet in the US is extremely slow and over priced.

My cable/internet costs me \$150/month (from Time Warner). Contrast with my other expenses:

- Gym (\$11/month from Planet Fitness)
- Mobile Phone (\$21/month from TMobile)
- Car insurance (\$25/month from Insurance Panda)
- Groceries (\$90/month for me)

Yes, that's correct, my gym, cellphone, car insurance, and food COMBINED cost less than my TWC bill.

This will be a win for consumers by increasing competition and expanding infrastructure. Prices drop and speed increases. Profits drop. Aww.

In many comment platforms, visitors to the site can click on a username to see other comments posted by a commenter. Several of the usernames that posted the comment above have no other comments logged. It appears those usernames were created specifically for the purpose of posting that comment.

The purported reasons for the FCC stepping up its regulation of the Internet is that ISPs were "giving preferential treatment" to some services and "discriminating" against others and "creating paid fast lanes on the Internet." It sounds evil. It screams for relief that only Big Government can provide. Granted, some ISPs were slowing traffic to sites that provide streaming services for watching movies or downloading large files, while at the same time allowing faster connections to other sites. Also granted, most ISPs were providing faster services for consumers who pay more. But is that wrong? Does it require relief in the form of regulation?

These types of things are normal in a free market. Bandwidth is expensive to maintain, and ISPs must make decisions that are in their best interests as businesses. If some consumers are using a very large amount of the available bandwidth to download large files and stream movies and music, it means that either everything on that connection will slow down for everyone using it, or the ISP will have to increase the bandwidth, and pay for it. The choices are limited. The ISPs can "choke" the speeds to connections to those services that use the most bandwidth; they can charge extra to consumers who desire faster connections; they can raise rates across the board; or they can do a combination of the three.

Following the logic of the arguments in favor of Net Neutrality, a restaurant should charge the same price for an eight-ounce steak as for a 16-ounce steak. Just because Customer B has a bigger appetite than Customer A doesn't mean B should pay more, goes the Net Neutrality reasoning. In a free market (one that answers to the realities of cost and profits), the restaurant would have no choice but to offer only a 12-ounce steak and charge the same price as it had for the 16-ounce steak. And that is where these new regulations begin to harm consumers. We will see fewer choices and higher prices as the ISPs focus on lobbying their regulators and passing the costs along to their customers.

Many people live in areas where the demand for high speed Internet is low and have had to suffer with slow connection speeds. They have sat in Starbucks and public libraries and used their Internet connection when they needed a faster connection. Many currently pay about \$100 per month for high speed Internet and home security from Comcast because they live in areas where demand is higher. These are their choices. There is no one-size-fits-all approach, and as Big Government tries to force one, those who advocated for this are going to figure that out.



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Thankfully, it is far from over. The courts can rule against Net Neutrality. Some in Congress are already talking about a bill to set it aside. A future FCC commission could reverse it.

It is a dire situation to be at the mercy of big government where something this important is concerned. It is time, as *The New American's* Joe Wolverton has observed, to force "the federal beast back inside its constitutional cage."



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