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## FCC plans to vote on net neutrality in February

January 5, 2015 | By [Sean Buckley](#)

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The FCC plans to vote on net neutrality in late February, a move that will spur a series of legal challenges from telcos and industry groups on one of the key policy issues that will govern how Internet traffic is delivered to consumers.



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Kim Hart, an FCC spokeswoman, would not comment to the *Washington Post* on Wheeler's discussion with other commissioners, but confirmed that a vote would be made in February.

Net neutrality was brought into the political spotlight when President Barack Obama urged Wheeler to reclassify service providers like AT&T ([NYSE: T](#)) and Verizon ([NYSE: VZ](#)) under [Title II of the Communications Act](#). At that time, the FCC said it would not complete writing what its final rules would be until 2015.

If the FCC were to take the Title II route, it would potentially have a stronger foundation to issue net neutrality rules. Among some of the issues this route would help to address are throttling of Internet bandwidth, paid prioritization and blocking.

In addition to Title II, Wheeler has favored a [hybrid approach](#) to net neutrality, according to a report in *The Wall Street Journal* that appeared in October. This hybrid approach would separate broadband into two parts: a retail element where consumers would pay service providers like Comcast or Verizon for their broadband service, and a back-end or wholesale element where broadband providers would serve as a backbone for content providers like Netflix ([NASDAQ: NFLX](#)) or Amazon ([NASDAQ: AMZN](#)) to distribute content.

Service providers have long argued that implementing Title II would inhibit their ability to make new network investments. Verizon wrote in a [recent filing](#) that the FCC has the authority already to address issues like throttling and paid prioritization without implementing Title II. Besides the telcos, a group of vendors including Alcatel-Lucent ([NYSE: ALU](#)), Cisco, Ericsson ([NASDAQ: ERIC](#)), Intel,

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Regardless of what route the FCC takes, the new rules will face a number of legal battles.

Verizon's CFO Fran Shammo said during the [UBS 42nd Annual Global Media and Communications Conference in December](#) that if the FCC implements Title II, it is going to set off a long series of court challenges.

"Why do we need regulations around something that's working?" he asked. "I think if they go all the way to the extreme of Title II, I'll quote what (AT&T CEO) Randall (Stephenson) said about a month ago, which is, I think it's going to be a very litigious environment."

The agency is fully aware of the legal battles that are going to be ahead if it issues the new rules.

"The big dogs are going to sue, regardless of what comes out," Wheeler said in November. "We need to make sure that we have sustainable rules, and that starts with making sure that we have addressed the multiple issues that come along and are likely to be raised."

At the same time, a group of Republican leaders [have reportedly proposed](#) a new set of broadband provider regulations that they have called "Title X," which would give the FCC the authority to prevent service providers from blocking or slowing down consumer traffic to a specific website like Netflix or carving out special paid prioritization deals. However, the FCC would have to agree to not reclassify service providers under Title II.

For more:

- [Washington Post](#) has this [article](#)
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