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from the March 15, 2006 edition

Tolls may slow Web traffic

The possibility of a future two-tiered Internet threatens today's notion of free travel on the information superhighway.

By [Gregory M. Lamb](#) | *Staff writer of The Christian Science Monitor*

For now, the Internet is a superhighway open to all. Information is delivered quickly via phone lines and cable to homes and businesses worldwide. But for online businesses, the express-lane ride may be over. As the Internet matures, new bandwidth-gobbling online television channels and phone services may soon be charged to access the superhighway. That could turn the Internet of tomorrow into a toll road, with those who can't pay a premium shunted into the slow lane.

Grass-roots consumer groups and big corporations like Yahoo, Microsoft, and Google, whose businesses are based on a "free" Internet, say that ideas being floated to make producers of online content pay a premium for fast delivery could ruin the Web.

Permitting cable and phone companies to develop "capacious 'broadest-band' toll lanes for some, and narrow dirt access roads for the rest, is contrary to the design and spirit behind the Internet, as well as our national competitive interests," said Vinton Cerf, a Google vice president and an early architect of the Internet, in testimony before a Senate committee last month. "The vibrant ecosystem of innovation that lies at the heart of the Internet creates wealth and opportunity for millions of



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Americans. That ecosystem, based upon a neutral open network, should be nourished and promoted."

The firestorm was ignited last November when AT&T chief Edward Whitacre told BusinessWeek Online that AT&T's broadband network was not going to be exploited by Google and others without due compensation. "How do you think they're going to get to customers?" he said. "Through a broadband pipe. Cable companies have them. We have them. Now what they would like to do is use my pipes free, but I ain't going to let them do that because we have spent this capital and we have to have a return on it.... [F]or a Google or Yahoo or Vonage or anybody to expect to use these pipes [for] free is nuts!"

The Internet has "morphed" into something it wasn't 10 years ago, adds AT&T spokeswoman Claudia Jones. It has moved away from just e-mail to video and voice. "You need to build an infrastructure to handle the traffic," she says, and that costs money. While AT&T has not introduced "two-tiered" or

INTERNET ARCHITECT: Vinton Cerf, a Google vice president, opposes a two-tiered Web.
PAUL SAKUMA/AP

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has not introduced two-tiered or "premium" prices for those who send large amounts of data over the Web, it reserves the right to do so. "Companies like AT&T who are making significant investments to build a private backbone" to the Internet, she says, "should have some leeway in the services we are offering on that backbone."

Already, consumers pay different prices to receive content at different speeds, from dial-up or DSL connections from phone companies to cable modems. In theory, toll-road plans would charge those who send, or upload, large amounts of data (movies or TV shows, for example) a premium to make sure that all of the individual "packets" of information that make up the signal arrive smoothly and quickly. That's important to creating a high-quality audio-video experience for their customers. Other kinds of data, such as e-mails, where a few seconds of delay makes little difference, would travel in the "slow lane."

AT&T and Verizon are gearing up to offer TV service, so-called IPTV. Some worry that they might charge a premium to others who want to send video over their lines, or even degrade or refuse to transmit others' products.

The same issues arise with independent phone services that use Voice over Internet Protocol (VOIP), such as Vonage and Skype. "Because Vonage competes directly with the telephone service of the network operators that also provide high-speed Internet access, the incentives to discriminate against us are clear," said Vonage chief Jeffrey Citron at the Senate hearing. "Vonage has already seen several smaller network operators block our service. Most recently, major phone company executives seem to suggest that our service isn't going to work as well if we don't pay them additional fees."

In one online forum, Vonage customers shared suspicions that cable company Comcast is degrading the quality of their Vonage phone calls. (Comcast is rolling out a digital phone service.) Comcast and Vonage Holding Corp. have denied that any such problem exists.

"You can imagine all kinds of scenarios," says David Isenberg, an independent telecommunications analyst (www.isen.com/blog) and a fellow at the Berkman Center for Internet and Society at Harvard Law School. "Once you establish the principle, you can see where it leads.... Maybe they'll charge a lower price for publications the carrier deems politically acceptable and a higher price - maybe a prohibitively high price - for publications the carrier considers unacceptable. Or maybe you won't be able to get them at all." Mr. Isenberg is helping to sponsor the Freedom to Connect conference April 3-4 in Washington, D.C. He

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hopes to spur "an in-depth conversation" about what's at stake in the "net neutrality" debate.

Sen. Ron Wyden (D) of Oregon has introduced a bill to ensure net neutrality by prohibiting network operators from favoring their own content over that of other companies that they carry. The bill would prevent carriers from "interfering with, blocking, degrading, altering, modifying, or changing traffic on the Internet" or from creating "a priority lane where content providers can buy quicker access to customers, while those who do not pay the fee are left in the slow lane," the senator said in a statement.

AT&T's Ms. Jones argues that such legislation is unnecessary. "They're dealing in a lot of 'what could happen' [scenarios]" she says. "But there's nothing that has happened." Nor will AT&T ever degrade its customers' service, she says.

All sides say that vigorous competition among Internet providers is a check against abusing customers and eliminates the need for legislation. Cable and phone companies say such competition already exists, and that they're not only battling each other but also several "flavors" of wireless Internet (including wi-fi and Wi-MAX) and perhaps, in the near future, Broadband over Power Lines (BPL). But advocates of legislation say those alternatives aren't truly viable. Cable and phone companies essentially constitute a duopoly, a two-headed monopoly, and hence need to be regulated.

AT&T's recent announcement that it will absorb BellSouth has only added to the talk of duopoly. Of the seven Baby Bells created in 1984 to stimulate competition, only three - AT&T, Verizon, and Quest - would be left.

"You're not looking at a free marketplace of competitors," says Wendy Seltzer, a former staff attorney at the Electronic Frontier Foundation, a consumer rights group, who now teaches Internet law at Brooklyn Law School.

Without forcing some commitment to net neutrality from Internet providers, small startups may never get a chance to see where their ideas could lead, advocates say. The very vitality of the Internet will be threatened.

"That's certainly something that the net neutrality forces will be trying to argue," says Ms. Seltzer. "Network neutrality might be a little bit of regulation, but it's regulation that's good for [promoting] a lot more free market."

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