FCC Chairman to Seek Dismissal of Skype’s Plea for Open Access to Wireless Networks

By Cecilia Kang

LAS VEGAS, April 1 -- Federal Communications Commission Chairman Kevin J. Martin said Tuesday that he will seek to dismiss a petition from Internet phone provider Skype asking the agency to force wireless carriers to open their networks to all devices and software applications.

In a keynote speech at the CTIA Wireless convention, Martin said recent moves by such carriers as Verizon Wireless and AT&T to open their networks show that the industry doesn't need such regulatory action.

"In light of the industry's embrace of a more open wireless platform, it would be premature to adopt any other requirements across the industry," Martin said to applause from the audience of industry executives.

Skype's petition, filed in February 2007, was part of a push for wider access to telecommunications networks and the Internet, also known as net neutrality. Its proponents have argued that such measures would promote more innovation and choice for consumers.

The biggest wireless carriers restrict their networks to approved devices and software applications sold in their retail stores. But Verizon and AT&T have said that they would begin testing new devices and software on their networks.

In an earlier speech, Verizon Wireless chief executive Lowell McAdam called for other industry players to open their networks to forestall regulatory action. He said open networks could bring new consumer-focused products and applications, such as bracelets that monitor the health of hospital patients, that go beyond cellphones.

Martin's comments drew criticism from consumer groups and from within the commission. The groups called the order to dismiss the petition premature and said the agency needed to ensure that the carriers fulfill their promises.

"Without the commission's oversight in this area, the FCC will have taken a step backward away from openness and toward a policy of 'trust the carriers,'" said Christopher Libertelli, senior director of government and regulatory affairs for Skype, a unit of eBay.
Democratic Commissioner Michael J. Copps criticized the comments made by Martin, a Republican, saying the same open policies for wireline broadband should apply to wireless networks, particularly as wireless devices become more like portable computers.

"American consumers are used to downloading any legal software or content they want, on any computer they want, without seeking prior approval from their Internet provider," Copps said in a statement. "Why shouldn't they be able to do the same on their wireless device?"