

RE net neutrality talk w Bruce Byrd yesterday

From: Clay T. Whitehead
Sent: Tuesday, February 13, 2007 9:16 AM
To: Susan Burgess
Subject: RE: net neutrality talk w/ Bruce Byrd yesterday

That is helpful, particularly #4. #5, however, seems it could equally be used to allow AT&T to cut a sweetheart deal with Google. I still don't see what positive benefit Google expects to get.

-----Original Message-----

From: Susan Burgess
Sent: Tuesday, February 13, 2007 8:36 AM
To: Clay T. Whitehead
Subject: net neutrality talk w/ Bruce Byrd yesterday

Tom,

My talk with Bruce yesterday was reassuring because it confirmed for me that you and I had correctly identified several reasons why carriers like AT&T oppose net neutrality regulation. See reasons 1, 4, and 5 below for the additional rationales Bruce taught me.

AT&T claims that:

(1) Google began fighting for "net neutrality" to restore computer inquiry rules that the Brand X decision lifted. But the rules that were lifted had nothing to do w/ the net neutrality regulations that Google wants to see. The rules had nothing to do w/ AT&T's end relationship w/ its end user and nothing to do w/ the special agreements AT&T would cut in internet space, so the idea that that was net neutrality regulations is simply false.

(2) net neutrality regulation isn't needed because AT&T would damage its business if they blocked Internet content, as the Googles and Amazons claim they will;

(3) existing laws are sufficient to protect the Googles and Amazons from the anticompetitive practices they fear, and the FCC is empowered to fight discriminatory behavior;

(4) cable was and has been the dominant provider of broadband and they've never been subject to rules like these and no one, including Google and Amazon, claimed that cable was discriminating against web providers, nor have there been any demonstrative defects with cable broadband;

(5) Google claims that net neutrality would protect the little guy, but it wouldn't. Net neutrality would lessen Google's competition with the little guy by preventing the AT&Ts from arranging special relationships with small startups that need greater server support than giants like Google.

I have yet to hear back from Google on these issues, but will update you when I do.

Susan