

Debunking “The Net is Neutral” Myth

The term “Net Neutrality” is misleading because it insinuates the Net is neutral today; in fact, it is not neutral. Imposing Net Neutrality would not maintain the status quo, but force big changes in the Internet’s operation.

Net traffic treatment is not neutral:

- The Internet engineering community has long recognized a passive (neutral) Internet is a dysfunctional Internet; it’s been developing “active queuing” (prioritization) to avoid service degradation or “Internet meltdown.” See *Internet Society, April 1998, RFC 2309*: [ftp://ftp.rfc-editor.org/in-notes/rfc2309.txt](http://ftp.rfc-editor.org/in-notes/rfc2309.txt)
- Keynote[®], the Internet’s Performance Authority, tracks how Internet connection speed varies among carriers and how performance (jitter & latency) varies between routes, among other Internet differences.
- Internet transmission has never been “neutral” or a “level playing field.” Large entities that invest more in infrastructure and pay more than smaller operators or bloggers, routinely get better Internet service:
 - Akamai’s caching services, provides advantage of faster, more reliable downloads of large files;
 - Owning high capacity “fat pipes” tied to peering exchanges provides a performance advantage;
 - Employing additional QOS services (quality of service) affords a performance advantage; and
 - Hosting in multiple strategically-located, high-end data centers provides superior performance.
- Google’s massive server farms give Google a big Net performance advantage over other search engines.

Internet backbone peering is not neutral:

- The Internet backbone has long been tiered, based on amounts of traffic exchanged. Peering, the *voluntary* interconnection of networks, is unequal and thus tiered based on the *reach* of a network.
- Internet backbone Tier 1 networks sell to, or peer with, every network, but *do not pay* for transit. Tier 2 networks peer, but *pay for some* transit over the Internet. Tier 3 networks *must pay* to reach the Internet.
- Internet backbone peering has never been regulated and most Internet traffic is in fact *privately* peered.

Net access pricing is not neutral:

- Internet access price differentiation is the norm. Consumers can choose from a wide variety of Internet price/speed tiers: *Dial-up* (free to ~\$20 monthly), *DSL* (~\$15 to \$60+), *Cable* is (~\$20-60+), *Satellite broadband* (~\$50-100+), *WiFi* (free to ~\$30+) *Wireless broadband/Wimax* (~\$50-80+).
- Prices differ greatly depending on which bundled products/services one buys and for what time period.

Net usage is not neutral:

- Internet use is not equal. A small slice of users consume most of the Internet’s bandwidth because they use highly-bandwidth-intensive applications like peer2peer video-file-sharing/gaming, high definition video. The most commonly-used applications require relatively little bandwidth i.e. email, web surfing.
- **5% of Net users use 51% of the bandwidth and 25% use 85% overall**, per Time Warner Cable.
- Net neutrality average pricing is reverse Robin Hood: average users must subsidize bandwidth hogs.

Net regulatory/legal precedent is not neutral:

- 30+ million cable modem and satellite broadband users have *never* been subject to net neutrality.
- In 1993, Congress ruled wireless competitive, meaning *no* net neutrality for 210 million wireless users.
- In 2005, FCC decided to not apply net neutrality to DSL -- ruling it competitive and unregulated.
- Snowe-Dorgan would create new one-size-fits-all regulation for *all* broadband providers even free ones.

NETCompetition.org is an e-forum to promote a rigorous debate on the merits of net neutrality legislation. It is funded by a wide range of broadband telecom, cable and wireless companies who believe that the best way to guard a free and open Internet is free and open competition, not more government control of the Internet. Please see www.netcompetition.org for more information.