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Net neutrality looks like it's headed for an overhaul. For consumers, that could mean more clogged Internet speeds on some providers — but the chance of freebies from others.

Since President Trump's election, the conventional wisdom has been that the administration will find a way to overturn the 2015 regulations passed by the Federal Communications Commission, then headed by Chairman Tom Wheeler. Under those net neutrality regulations, Internet service providers cannot slow or block legal content that their paying subscribers want to reach. Content providers also cannot pay ISPs to make their Web sites or services flow faster than those of competitors. However, ISPs can set aside fast lanes for some exceptions, including public services, like remote heart monitoring.

This relatively wonky corner of policy received huge public interest nearly three years ago, largely because it coincided with America's burgeoning demand for high-speed internet and Internet-only content, like Netflix, and consumers active in Internet communities like Reddit pushed hard for the rules. 5

On one side, Internet content companies Netflix and Google argued that the FCC needs the power to protect the open Internet, while the companies that provided the bandwidth — including AT&T and Comcast — argued that the FCC's utility-style regulatory authority was heavy-handed. The Obama Administration-era FCC sided with the Netflix crowd, putting in place rules that prevent throttling, or slowing, content from some providers and not others. But that's likely to change.

Trump has called Net neutrality a "top down power grab" by then-President Obama. And new FCC Chairman Ajit Pai — appointed by Trump three weeks ago — cast one of the two votes against the measure. Chairman Pai delivered a fresh sign last week that his take on Net neutrality differs from that of his predecessor. On Friday, he announced the FCC was closing an investigation into wireless

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services offering content that doesn't count against data caps — a practice that, depending on your point of view, could be considered a Net neutrality violation or a smart business tactic.

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The investigation, released by Wheeler just before his departure, found that AT&T and Verizon could be breaking the rules letting users stream AT&T- and Verizon-owned content on their wireless networks without counting the data against monthly limits -- and not offering such a deal to competitors, such as, Hulu or Sling TV. The decision suggests that ISPs may have some wiggle room on broadband, a possible opening to loosening the rules.

To unravel the net neutrality rules further, the FCC could begin drafting new ones or selectively enforce -- or not enforce -- rules on the book. Congress could act, too. What could this mean for consumers?

More data-free offerings. Expect more deals such as AT&T's, which lets users stream DirecTV Now on mobile devices without counting the data against monthly limits. Similarly, Verizon lets users stream its go90 video service data-free.

Some content flows faster. Content providers could, in the future, make deals with ISPs to ensure optimum delivery of their video, music or other content. Some content flows ... not so fast. Once there's a fast lane that inherently makes the other lane a slow one. Most likely left in a slow lane? Smaller, independent content providers.

Competition -- but more or less? Proponents of the current Net neutrality rules say the FCC's oversight helps protect competition with a fair playing field. But those looking for less wieldy rules argue that innovation and competition will thrive under less regulation. Pai told reporters last week that he is in favor of a "free and open Internet," but without what he considers the heavy-handed regulatory approach taken by the Wheeler-led commission of classifying ISPs as common carriers.

Look for the FCC to begin the process to craft more business-friendly Net neutrality rules in the next few months, says Randolph May, president of the Free State Foundation, a free market think-tank. The move could allow ISPs to consider paying for faster delivery of content in some cases, if it benefits consumers and increases competition, he says.

Supporters of strong Net neutrality say weakening the rules gives ISPs too much power, making them "gatekeepers who can essentially pick and choose winners and losers," said Evan Greer, campaign director for Fight For The Future, a non-profit organization that supports free expression on the Net. Some in Congress are ready to fight to keep the current rules. "Allowing giant corporations to pick and choose the content available to everyday Americans would threaten the basic principles of our democracy," said Sen. Al Franken, D-Minn. He was among several Democratic senators who spoke Tuesday in favor of the current rules.

Sen. John Thune, R-S.D., the chairman of the Senate Commerce Committee, agrees in the need for "clear and reasonable rules for the digital road" enacted by Congress, so that the FCC doesn't have to re-argue them each administration change. "Who knows? The reality of a Republican FCC may help inspire some of my Democratic colleagues to embrace the idea that a bipartisan legislative solution is the best possible outcome," he said last month at an Internet conference.

In the wake of many grass-roots protests in the last few weeks, any action could be met with crowds of sign-carrying citizens. The issue attracted a record number of public comments, 4 million, and protests in front of the FCC. "If we are going to keep Net neutrality, it's going to demand considerable action

from the grass roots," said Michael Copps, a former FCC interim chairman and commissioner and a special advisor for watchdog group Common Cause. "People have to start realizing this." – **USA Today**



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