

Article Title: "The net benefits of neutrality: Equal access to the internet is vital to create new entrepreneurs"

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You don't pay for electricity based on which brand of appliances you use, so why should you pay for internet access based on which brand – that is, whose website or app – you access? That, in a nutshell, is the argument for net neutrality. The underlying principles are based on the desirability of providing universal access to the internet, while preserving the level playing field that everyone has on it today.

A debate has been building since last December when Airtel, India's largest mobile telco, tried charging extra for its users to access Skype, a popular internet service for voice and video communications. Meantime, the Telecom Regulatory Authority of India (Trai) has started examining net neutrality and has issued a consultation paper. More on that shortly, but first a disclosure: i have family interests in an Internet Service Provider (ISP), which like the telcos would benefit from the absence of net neutrality.

In developed countries, this debate has raged for years. With the advent of Skype and other "over the top (OTT)" services and apps like Whatsapp, YouTube, Facebook and Twitter, the telcos' lucrative voice and text services started coming under pressure. They, along with other ISPs, fought back by either choking access to some OTTs, or entering into deals with them to enable faster access by customers.

So what, you might ask. After all, having built their broadband "pipes" at huge cost – and the mobile telcos among them also having paid handsomely to buy spectrum at auctions – aren't they entitled to operate their networks as they please in order to maximise profits?

No, say a growing army of netizens who have been pushing back. They counter that whereas OTTs are largely unregulated, telcos and ISPs are regulated providers of "access" (and certain licensed services like voice telephony). This means they are entitled to charge consumers more for faster overall access speeds, for instance charging more for 2 mbps broadband connectivity than for 1 mbps. However, that should not entitle them to either suppress or boost the speeds of accessing specific sites.

Supporters of net neutrality – the term was coined back in 2002 by Columbia University law professor Tim Wu – have put forth many other compelling arguments. In India, too, support is growing. Besides my fellow MP Tathagata Satpathy, who made that electricity analogy in a letter to Trai, many opinion makers are beginning to speak up.

Net neutrality provides individuals, small companies, startups and advocacy groups a level playing field with big corporates and brands. That is how companies like Google and Facebook could grow big from humble beginnings. If deep-pocketed corporates are permitted to make special deals with telcos and ISPs for exclusive or faster access to

their websites and apps by customers, they could crush disruptive startup competitors. That would squelch innovation and be bad for consumers in the long run.

Freedom of speech is also crucially dependent on net neutrality. The preferential leveraging of certain websites by telcos and ISPs inherently implies reduced access to others. Taken to its logical conclusion, this could lead to blocking others, either fully or, with choked access, for all practical purposes. That would damage the egalitarian nature of the internet, where today even a lone blogger might outdo mainstream media in breaking big news.

The most advanced and contentious battleground for net neutrality is the US. After several abortive attempts beset with litigation its regulatory agency, the Federal Communications Commission (FCC), finally adopted comprehensive rules in February. These prohibit both wired and wireless broadband companies from “speeding up, slowing down, or blocking any legal online content or service”.

But even in the US, there remain aspects of net neutrality that are yet to be fully resolved. For instance, can a telco or ISP offer free access to consumers for only a limited number of websites, paid for by those sites? This would fragment and change the nature of the internet as we know it today, where anyone can technically access any site anywhere in the world.

This is being justified by service providers worldwide as a means of increasing internet access, especially to price-sensitive customers, in order to bridge the digital divide. The FCC has hedged its bets for now, stating that such “sponsored data plans” have the potential to benefit consumers, but that it is also “mindful of the concern that sponsored data plans have the potential to distort competition”.

That is precisely what India’s pioneering online restaurant guide Zomato has echoed, saying that it could not have succeeded if such service plans had existed earlier, enabling its bigger corporate competitors to have exclusive reach to potential customers. In India, Airtel and Reliance have started rolling out such services.

This battle is reminiscent of Microsoft’s heyday as a monopoly, when it bundled its late-to-market Internet Explorer browser with its dominant operating system. Though eventually disallowed by regulators in the US and EU, the years it continued under litigation dealt a fatal blow to its startup competitor, the pioneering Netscape.

The matter is coming to a head, with the looming April 24 deadline for Trai’s consultation paper. If you want to keep the whole internet accessible to all, and OTTs unregulated in the interest of innovation, the time to speak up is now.