

Digital Content Next

Legal and Legislative Committee
May 9, 2017

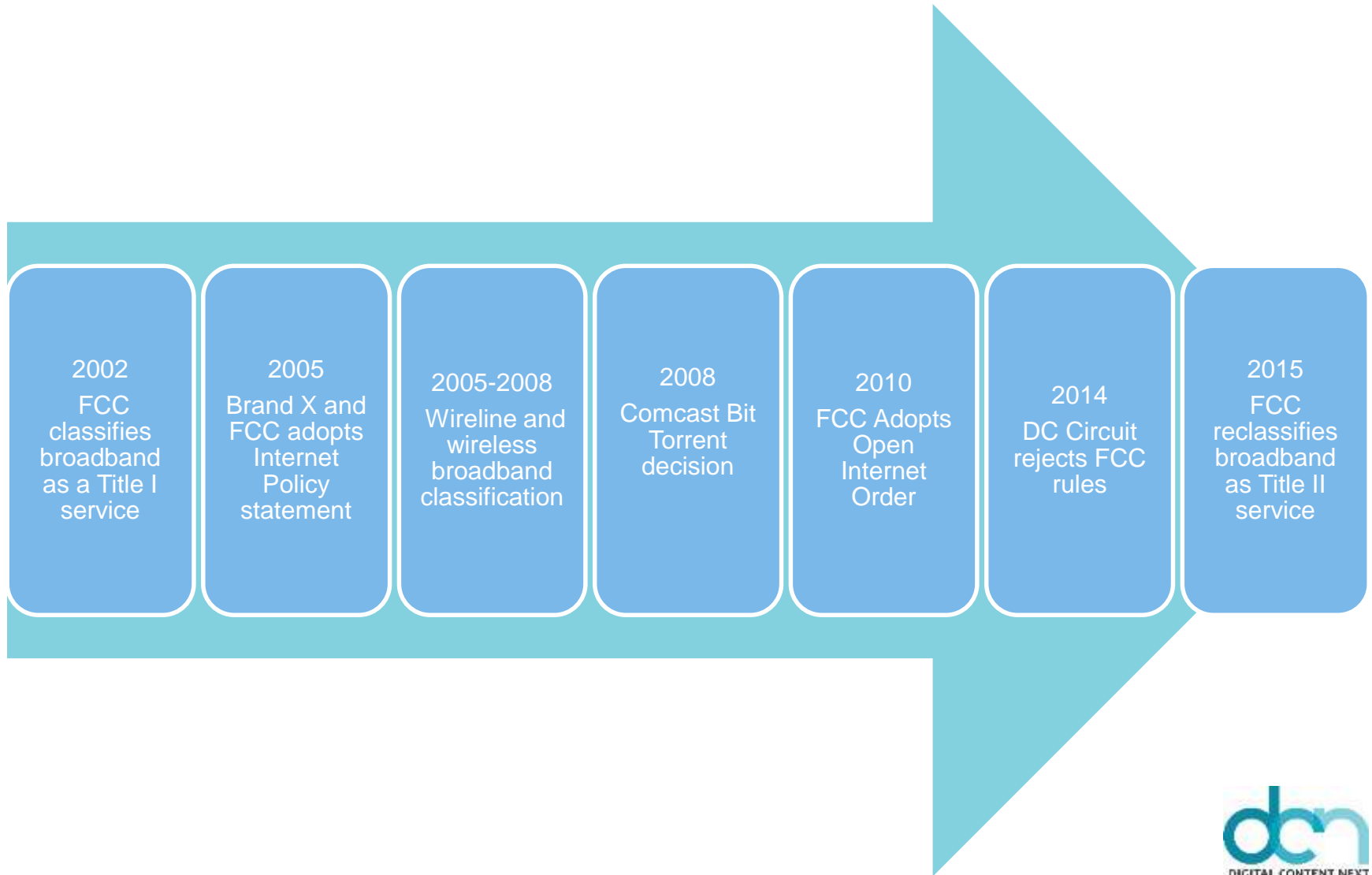
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Agenda

- Review of FCC NPRM re Net Neutrality
- Topics for DCN Legal and Legislative Day 2017

- Brief History of Net Neutrality Proceeding
- Rules v Principles
- Next Steps

Timeline of Net Neutrality



FCC Authority

- Chairman Pai will reinstate the Title I (information service) classification
- By eliminating Title II (telecommunications service) classification, FTC would have authority over broadband providers' privacy practices
- Pai would have companies commit to the principles, thus subjecting them to FTC jurisdiction for violations of the principles
- From Pai's speech announcing the NPRM:
"Make no mistake about it: this is a fight that we intend to wage and it is a fight we are going to win. "

Rules v Principles

Current rules:

- No Blocking
- No Throttling
- No Paid Prioritization
- Transparency
- Caveat - Reasonable Network Management

Rules v Principles (cont.)

The draft NPRM:

- FCC notes that current rules identify practices that are bad but questions whether rules are needed
- FCC seeks comment on whether certain rules may prohibit beneficial behavior
- On paid prioritization, FCC notes that the large ISPs do not engage in this practice and there may be beneficial reasons to offer such service

Next Steps

- May 18 FCC Open Meeting to vote on the NPRM
- July 17, 2017 (60 days) comments due
- August 16, 2017 (30 days) reply comments due
- FCC decision by end of year?
- Congressional interest
 - Restoring Internet Freedom Act - sponsored by Sen. Mike Lee (R-UT)
 - Schatz and Booker – Open letter to Chairman Pai
 - Thune and Nelson
 - Pallone and Walden

Questions
Greg Guice
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Tuesday, June 13th

12 Noon to 5 PM

NPR Headquarters

(1111 N Capitol Street)

- Discussion
- Education
- Networking

rsvp to chris@digitalcontentnext.org

- Confirmed Sessions:
 - Mary Engle, Associate Director of Advertising Practices, Bureau of Consumer Protection
 - Laws and Customs to Consider when Distributing Content Globally
 - Randy Shapiro, Global Media Counsel, Bloomberg
 - Vendor Management Checklist
 - Dominique Shelton, Partner, Alston and Bird

- Topics Under Consideration:
 - Fake News: Update on Google/FB Efforts
 - Strategies/Solutions for Digital Piracy
 - ePrivacy Regulation Update
 - FTC/Vizio Settlement: Implications for Industry
 - Net Neutrality
 - Ad Blocking
 - Risks for Publishers of Location Data Collection
 - Discussion re Definition of “Personal Data”