

FCC rules against Comcast

Agency: Blocks on video files hamper 'open' Internet

NEW YORK TIMES NEWS SERVICE

In a precedent-setting decision that could affect the future of Internet service, regulators ruled that Comcast Corp. violated federal policies when it blocked customers from sharing online videos and other large files.

The Federal Communications Commission, in a 3-2 vote Friday, asserted a new authority and ordered the cable giant to stop certain practices that interfere with online traffic. At a meeting in

Washington, the agency called Comcast's actions inconsistent with "an open and accessible Internet."

Comcast said it is reviewing legal options to respond. The company questions whether the FCC's Internet access policies, which are not formal rules, can be enforced.

While a court challenge is possible, for now the ruling signals that Internet providers are subject to FCC enforcement for violations of these "network neutrality" principles. The agency adopted them three years ago to ensure open access online.

The government move comes as Internet providers increasingly seek new ways to cope with Internet traffic

jams caused by customers sharing large files and downloading Web video. A small portion of users often account for the bulk of the traffic.

Some providers, such as Time Warner Cable, are experimenting with charging more for heavy online use.

Philadelphia-based Comcast, the largest U.S. cable firm, has said it delayed traffic for some file-sharing users to protect service for the majority of its customers. Under federal pressure, the company pledged in March to stop the practice by the end of the year and explore other techniques to manage its network.

But FCC Chairman Kevin Martin said Friday that Com-

cast went too far, targeting specific file-sharing applications, delaying downloads and blocking uploads at all hours, even when network congestion was low.

Martin, a Republican who sided with the commission's two Democrats in the ruling, reprimanded Comcast for "making affected users think there was a problem with their Internet connection or the application. Today, the commission tells Comcast to stop."

The FCC didn't issue a fine but required Comcast to submit a plan describing how it will change its ways by the end of the year. The company also must provide details on its network management practices and tell customers

of its future plans.

Comcast said it is disappointed in the decision because "our network management choices were reasonable, wholly consistent with industry practices." It said "we did not block access to Web sites or online applications, including peer-to-peer services."

While Martin supported the ruling, his two fellow Republican's opposed it with lengthy dissents and legal questions.

Commissioner Robert McDowell said the decision could backfire and result in slower speeds for most Internet users by preventing companies from managing their networks appropriately and creating uncertainty.