

## **Legislation for online video seeks to ensure consumer choice (for real!)**

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Perhaps the eulogy for Net Neutrality is being written a bit prematurely, because there's a faint sign of life coming from, of all places, Congress. From the "too good to be true" department comes new legislation proposed by outgoing Senator Jay Rockefeller (D-W.Va). The Consumer Choice in Online Video Act (S. 1680) would be a boon to consumers who choose to watch content offered by online video distributors instead of or in addition to what is offered by traditional cable companies.

For years, some consumers have been hoping for a la carte programming from their cable providers - the ability to pay for only the channels they wish to watch - while many others have become increasingly fed up by rising cable bills. That's why many consumers turn to services like Netflix or Hulu and cancel the TV portion of their cable service, giving themselves greater control of access to the video content they prefer. Aware of these rapid technological shifts and threats to their business models, cable companies are no doubt tempted to leverage their role as gatekeepers to hinder the online services' progress.

And that's why this legislation is important to those who want to preserve an open Internet. For instance, Internet service providers (ISPs) increasingly use data caps and tiered pricing to make customers think twice about streaming too many movies, and recently Verizon laid all its cards on the table in federal court, acknowledging in its opening arguments of *Verizon v FCC* that it would prefer to give preference to certain web sites over others and even block sites that don't pay "tolls". (<http://bit.ly/1cb2dvy> [1]). Recognizing ISPs interest in writing their own rules about which web sites its customers can access, Section 2 of the bill notes, "ISPs should not hinder through anticompetitive behavior the ability of online video distributors to provide services to their subscribers." And, the proposed legislation aims to make it illegal for ISPs to use tactics that would block or degrade content provided by an online video distributor. You can read the bill [here](#) [2].

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Of course, ISPs have a lot of sway in Washington, so a bill that makes such a direct challenge to their wishes has little chance of passing. But it does offer a glimmer of hope for those who believe in an open Internet. While Rockefeller's bill only deals with video, delivery of video is nonetheless going to be a large component of the Internet in the future. This bill proactively addresses video and, simply by being proposed, may perhaps resurrect Net Neutrality as a priority of Congress.

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### **Links:**

[1] (<http://bit.ly/1cb2dvy>

[2] <http://1.usa.gov/1aSVxEw>