

Open Internet Advisory Committee
 Federal Communications Commission
 Summary of Meeting
 July 20, 2012

The Open Internet Advisory Committee (OIAC or Committee) for the FCC was convened for its first meeting at 10:00 A.M. on July 20, 2012 in the Commission Meeting Room at the FCC headquarters building in Washington, DC. A full video transcript of the meeting is available at the FCC website at <http://www.fcc.gov/events/open-internet-advisory-committee-meeting> together with a copy of all materials presented at this meeting.

In accordance with Public Law 92-463, the entire meeting was open to the public.

Committee members present:

Harvey Anderson, Vice President of Business Affairs & General Affairs, Mozilla	Elaine Paul, Senior Vice President, Strategic Planning, The Walt Disney Company
Brad Burnham, Founding Partner, Union Square Ventures	Jennifer Rexford, Professor of Computer Science, Princeton University
David Clark, Senior Research Scientist, Massachusetts Institute of Technology and Computer Science and Artificial Intelligence Laboratory	Dennis Roberson, Vice Provost & Research Professor, Illinois Institute of Technology (representing T-Mobile)
Alissa Cooper, Chief Computer Scientist, Center for Democracy & Technology	Chip Sharp, Director, Technology Policy and Internet Governance, Cisco Systems
Ken Florance, Vice President of Content Delivery, Netflix, alternate attending for Neil Hunt, Chief Product Officer, Netflix	Charles Slocum, Assistant Executive Director, Writers Guild of America, West
Russell Housley, Chair, Internet Engineering Task Force; Founder of Vigil Security, LLC (representing Vigil Security, LLC)	Marcus Weldon, Chief Technology Officer, Alcatel-Lucent
Charles Kalmanek, Vice President of Research, AT&T	Madura Wijewardena, Director of Research & Policy, National Urban League, alternate attending for Marc Morial, President & CEO, National Urban League
Matthew Larsen, CEO, Vistabeam	Michelle Zatlyn, Co-Founder & Head of User Experience, CloudFlare
Kevin McElearney, Senior Vice President for Network Engineering, Comcast	Jonathan Zittrain, Professor of Law and Computer Science and Co-Founder of the Berkman Center for Internet and Society, Harvard University

FCC staff attending included:

Daniel Kirschner	Henning
Deborah Broderson	Schulzrinne

The Open Internet Order, which was issued in 2010, established the OIAC to “aid the Commission in tracking developments with respect to the freedom and openness of the Internet, in particular with respect to issues discussed in this Order, including technical standards and issues relating to mobile broadband and specialized services.”

The FCC’s chairman, Julius Genachowski, began the meeting by introducing the OIAC’s Chair, Jonathan Zittrain, and Vice Chair, David Clark, and welcoming the working group members. Chairman Genachowski opened the floor to questions from Committee members, which included topics such as the data to be used in the Committee’s analysis and discussions, best-case scenario outcomes of the committee’s meetings, how much the Committee would focus on network-edge activities, and whether or not the ties between mobile and fixed networks would be discussed in light of the differentiation that the Open Internet Order made between the two.

Following a round of introductions, the Designated Federal Officer, Daniel Kirschner, representing the Office of General Counsel, provided the OIAC with a brief overview of the Open Internet rules. He then fielded questions from Committee members regarding how various aspects of the open Internet rules related to the OIAC charter. Vice Chair Clark then provided the Committee with a brief history of the term “open” as it pertains to the Internet and how its meaning has evolved since the Internet’s inception.

Chair Zittrain then introduced the four working groups, providing brief descriptions of their tasks and then taking questions and comments from the wider Committee. Highlights from the discussion included:

Mobile Broadband

This working group’s purpose is to assess how the Open Internet rules apply to providers of mobile broadband. Topics that arose included whether mobile broadband has become more closely tied to fixed broadband, to what degree points of interconnection between mobile and last-mile wired connections should constitute mobile service, the role of the operating system layer in mobile broadband, the relationship between cellular data providers and virtual providers using their infrastructure, and intranetwork security for mobile broadband.

Economic Impacts of Open Internet Frameworks

The focus of this working group will be both domestic and international, with an eye toward comparing the Open Internet framework in the U.S. and similar efforts abroad. It will also analyze how domestic market forces have shaped access to broadband in terms of new wired and wireless service offerings, as well as effects these innovations have had on related topics such as consumption patterns, sources of investment, consumer impact, and job creation. In the meeting, particular attention was brought to maintaining an end-to-end user experience keeping in mind evolving network capabilities and efficiency as new network service delivery options arise.

Specialized Services

The purpose of this group is to analyze trends regarding specialized services, which are essentially traditionally non-broadband services offered over broadband access channels, and their adherence to the Open Internet rules. Such services may include Voice over IP (VoIP) calls and certain Internet Protocol-based video services. The working group will identify and define such services. Specific questions addressed in the meeting included at what point specialized services warrant FCC scrutiny, and at what point specialized services should be seen as

equivalent to Internet services and thus considered within the larger context of the competitive landscape and discrimination.

Transparency

This working group focuses on what information regarding their network management practices Internet service providers should be required to disclose. Specific considerations include how to make such disclosures comprehensible to the public while taking into account concerns regarding trade secrets and industrial confidentiality. Particular attention was paid to the importance of finding a means for making network management disclosures understandable to a wide readership including members of the public with non-technical backgrounds. Working group members also acknowledged the opportunity to compare transparency practices internationally.

Following the working group statements, Mr. Kalmanek raised the question of how the working groups should communicate and arrive at decisions outside of the scheduled OIAC meetings. This was answered by Chair Zittrain, who stated that working groups should convene over traditional methods such as via telephone conference. In addition, it was mentioned that OIAC meetings are anticipated to occur three to four times annually, with each meeting mainly comprising reports from the working groups.

The meeting was adjourned at 12:00 PM.