

Dear Madam, Dear Sir,

As a European citizen, I would like to offer some comments on the Net Neutrality questionnaire you published.

*Question 1: Is there currently a problem of net neutrality and the openness of the internet in Europe? If so, illustrate with concrete examples. Where are the bottlenecks, if any? Is the problem such that it cannot be solved by the existing degree of competition in fixed and mobile access markets?*

I can think of a few examples of net neutrality problems. For instance, some mobile phone operators in France offer unlimited access to sites such as Twitter or Facebook as part of their monthly plans, but not to the rest of the web in general. This means that even if a consumer finds a competing service to Twitter, say Status.net, to be superior, they have a financial incentive not to use it, as access to Twitter is, in essence, free with the plan they are paying for, whereas access to Status.net is not.

Furthermore, should a better alternative to these services arise, most consumers wouldn't want to try them out, having to pay to access alternatives, when they can already access the services that are part of their plan for no additional charge.

Also in the mobile phone area, VoIP and P2P are often contractually forbidden by operators, even though one subscribes to an "unlimited" Internet plan.

This clearly goes against net neutrality, an operator advertising access to Internet should not remove protocols as they see fit and decide what use of the Internet citizens and consumers should or shouldn't use.

Furthermore, some French ISPs block some ports or modify answers from DNS servers. This prevents people from running certain services from their home, removing some of their possible independence and preventing them from running their own mailserver for instance in the first case, and opens the door to a lying Internet that follows commercial rules rather than pure traffic ones, and reroutes traffic to commercial partners for instance, in the second case.

*Question 2: How might problems arise in future? Could these emerge in other parts of the internet value chain? What would the causes be?*

As stated in the previous question, the main issue I can see at this point would be that certain markets could become increasingly difficult to enter, given the high market entry barriers that a lack of net neutrality could create, and competition would suffer, with in the end a decrease in innovative services and products we've come to expect of the Internet and its disruptive culture.

The strategy of maintaining high entry barriers is one many companies have used in the past, and given the opportunity, many would love to use it on the Internet, which as stated above would be highly detrimental to innovation and competition.

Furthermore, should a difference in net neutrality regulation arise around the World (Chile has already ascertained its support for net neutrality and made it Law) and Europe sadly not be a net neutral zone, innovation could come out of other parts of the World rather than Europe. This would prevent a lot of European innovations from having any likelihood of success, unless backed or bought by large companies, killing most of the disruptive value of said innovations (usually essential for citizens and consumers), and undermine Europe's

capacity to innovate through the Internet, effectively killing a potentially huge economic sector.

*Question 15: Besides the traffic management issues discussed above, are there any other concerns affecting freedom of expression, media pluralism and cultural diversity on the internet? If so, what further measures would be needed to safeguard those values?*

Without net neutrality, one can easily envision a situation where access to a given website or blog platform is a lot faster than to a competing one, due to prioritising after commercial agreements.

In this case, opinions hosted on the slower/normal platform would be if not harder to reach, at least not as pleasant to browse, leading to more people reading the prioritised site, if just out of sheer practicality.

If the prioritised platform has advertisement deals with certain companies or certain shareholders, it could be tempted to refuse certain opinions on its platform, making these opinions only accessible on the slower platform, and thus harder to access.

In the end, the situation could mimic that of large television networks, where certain subjects are taboo and never reported on.

Furthermore, the prioritised platforms would be akin to large television networks in their reach (mass media), while the normal sites would be closer to independent stations. They would also end up being dependent on large amounts of money to maintain their priority rights with the ISPs, rendering them all the more dependent to their financing sources and less likely to favour freedom of speech.

If net neutrality is protected, opinions can migrate from one platform to another, or even be entirely self-hosted, without fear of being inaccessible by certain parts of the population.

In conclusion, I believe Europe should regulate strongly in favour of net neutrality.

Thank you for taking the time to read my comments.

The future of all European citizens, not just telecommunication operators, is at play in this issue, and I hope the European Commission will remember who it represents.

Yours truly,

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