
New FCC Rules Proposed For Broadband Internet Access Service Providers

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On October 19, 2023, the Federal Communications Commission (“FCC”) led by Democratic Chairwoman Jessica Rosenworcel adopted a Notice of Proposed Rulemaking (“NPRM”) to initiate a new “Open Internet” or “Net Neutrality” proceeding. The FCC’s NPRM reaches certain tentative conclusions and proposes specific rules applicable to providers of mass-market retail broadband Internet access service (“BIAS”). The NPRM was adopted by a 3-2 vote with the Republican commissioners dissenting, and Republican Commissioner Brendan Carr calling the approach “a solution that won’t work to a problem that does not exist.” Comments on the FCC’s tentative conclusions and proposed rules are due December 14, 2023, and replies are due January 17, 2024.

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