

Permission to reprint or copy this article or photo, other than personal use, must be obtained from The Seattle Times. Call 206-464-3113 or e-mail resale@seattletimes.com with your request.

Ryan Blethen / Times editorial columnist

Maine shows Internet resolve

The federal government's inaction on global warming has inspired a green streak from Olympia to Albuquerque. The black hole that is the health-care debate on the federal level emboldened plans to insure most of Massachusetts' residents.

The feds should have acted on these sticky issues before states, driven to the point of exasperation, had to act. The environment and health care are not the only topics currently dangling in front of states. Modern technologies and communications have also proven too much for Washington, D.C., to handle.

Maine is the first state to give up the wait on Internet access. The New England state has acted on wonkishly named network neutrality, which would ensure an open Internet. Lawmakers stopped short of passing a law with teeth, and instead opted for what they call in Maine "a resolve."

That is a decent start.

Information

www.commoncause.org/site/pp.asp?c=dkLNK1MQIwG&b=1779431

www.fcc.gov

www.maine.gov

www.mainesenate.org/strimling/index.shtml

The push for net neutrality must be put on the books in some fashion by politicians. It cannot continue to be an argument waged by pro-consumer groups against the cable and telecommunications companies.

There are no permanent rules stopping the companies that supply the pipes through which the Internet flows from implementing different pay scales for different levels of service. Without a net-neutrality law and strict oversight by the Federal Communications Commission, companies, Web sites and (potentially) consumers would have to pay additional fees to the network provider so Web pages could load quickly.

Nothing in the FCC's recent history suggests the regulatory agency will do much but roll over for the cablecom giants, which spend millions lobbying Congress to resist net neutrality.

The neutrality push began in Maine last summer with former Seattleite and one-time City Council candidate Jon Bartholomew. He is now the national media and democracy organizer for Maine's Common Cause. Bartholomew found support from Web designers and other small technology companies. He gathered 4,000 signatures for a petition and delivered it to Sen. Susan Collins, R-Maine, and later met with her.

His actions did not go unnoticed. State Sen. Ethan Strimling introduced a bill, which by passage had changed from a law to a resolve that calls for Maine's public advocate's office to monitor Internet access on the federal and state level. The advocate's office will report its findings to the Legislature next year.

Bartholomew agreed that this cautious approach is a good place to start.

"In the end, what they did was, I think, really responsible," he said.

He points out that this is not the first time Maine has gone down a path fraught with questions about a state's duty on possible federal issues. Maine has a prescription-drug discount program called Maine Rx, which has withstood court challenges.

Maine's resolve also bolsters the net-neutrality fight in Congress. Sens. Olympia Snowe, R-Maine, and Byron Dorgan, D-N.D., introduced a net-neutrality bill earlier this year.

Actions back home can only strengthen Snowe's resolve and push the rest of the delegation in the right direction.

The FCC and Maine's delegation will hear a lot about net neutrality and other media issues next week. The FCC is holding a hearing in Portland, Maine, on Thursday. The hearing is part of a series promised by the FCC to gather information on how broadcasters are serving their communities.

Maine will not be the last state to fill the neutrality void. Bartholomew is sharing what he learned with other Common Cause chapters.

"The question is, can a state legislate in this area? That is a good and untested question," said Harold Feld, of the Media Access Project, an organization that has been pushing for net neutrality.

Undoubtedly, a state will bypass resolves and proclamations in favor of a real net-neutrality law. Undoubtedly, the telecoms and cable companies will

challenge any regulation in court.

Let's hope some states find themselves in court soon, because if the FCC and Congress are not going to ensure the Internet remains a space for innovation and democratic speech, then the states must.

*Ryan Blethen's column appears regularly on editorial pages of *The Times*. His e-mail address is rblethen@seattletimes.com*

[Copyright © 2007 The Seattle Times Company](#)