

Name: Robert Flynn  
Email: [inlikeflynn2002@gmail.com](mailto:inlikeflynn2002@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No monitoring

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Robert Flynn

Name: Jacob Green

Email: [1992SmartBrain@gmail.com](mailto:1992SmartBrain@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is a demand for commercial practices as ISPs get to manage networks out of commercialism rather than effective management. For example, zero-rating allows customers to use provider-selected content sources or data services like an app store, without worrying about bill shocks, which could otherwise occur if the same data was normally charged according to their data plans and volume caps. This has especially become an option to market 4G networks, but has also been used in the past for SMS or other content services.

These practices are criticized as anti-competitive and limiting open markets. It enables internet providers to gain significant advantage in the promotion of in-house services over competing independent companies, especially in data-heavy markets like video-streaming. A service provider, who is offering unlimited access to his service, will naturally seem more favorable to consumers over one where usage is limited. If the first provider is the one restricting access, he is creating a considerable advantage for himself over his competition, thereby restricting the freedom of the market.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services can help ISPs direct traffic flow based on several factors. They allow Internet traffic to flow without clogging up traffic to a majority of websites and online services. Yet its fast lanes serves as a detriment to the Open Internet. The online economy is an ever-dynamic landscape with a lot of innovative and fresh enterprises and personalities. Changes range from a level playing field to a manipulated one in which only a few entities or individuals that demand a fee from new players to be able to compete by offering services. Thus, having monopolies on the Internet does not promote economic progress, but it hinders it.

Is there a demand for specialised services? Which services should be allowed this special treatment?

The demand comes from corporations and ISPs who wanted to have a competitive over their rivals. No service should be given priority over another because it restricts content flow, which constitutes online favoritism.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The Internet is not just web traffic. There is video chat, BitTorrent, games (e.g., Minecraft), and privacy tools that encrypt your traffic like VPNs and TOR. Good Internet providers try to make all of these services work as best they can, but the new EU rules would let Internet providers be lazy—or evil—and throttle traffic they do not care about, or do not like, even when there is no need to. That is a serious problem, for any app that goes beyond the web, whether it is to protect privacy, let people communicate directly, or make the internet more decentralized and independent. Internet components like video chat, games, and Bitcoin are all at risk. Thus, ISPs should not be allowed to monitor any web traffic to a point where arbitrary slowdowns occur.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not interfere with any Internet connection completely if its aim is to degrade the Internet or restricting access certain websites and certain types of web traffic. The network's primary job is to move data—not to choose which data to privilege with higher quality service.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would to receive every piece of information that ISPs can give to me about my Internet connection. Information included, but not limited to, includes speed, quality of service, and the method of traffic management. Transparency cannot manifest in the Open Internet without revealing every bit of information possible to help ISPs and Internet users to make informed decisions.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jacob Green

Name: Sean Robison

Email: [seanrobison65@sbcglobal.net](mailto:seanrobison65@sbcglobal.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Sean Robison

Name: Daniel Macdonald  
Email: [danielmacdonald007@gmail.com](mailto:danielmacdonald007@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Should not interfere with internet connection.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Daniel Macdonald

Name: Tine Kolenik  
Email: [tine.kole@gmail.com](mailto:tine.kole@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The potential is so monumental that it is hard to envision what the future will bring. But the potential itself should be there for hypothetical community to make the best of it and only internet neutrality guarantees that.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
There is not. The majority of the (unmanipulated and knowledgeable) user community is against any special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Traffic management hinders freedom, hinders user's experience and therefore further community's development. It also opens doors to shady practices.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It should not. This totalitarian move will eventually not only get fraudulent, but also hinder the community's efforts, user's experience and the internet's potential.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tine Kolenik

Name: J.V. King  
Email: [MensaWASP@hotmail.com](mailto:MensaWASP@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialized services? Which services should be allowed this special treatment?  
NONE.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritize certain types of online traffic (video, P2P, etc.)?  
NONE.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialized services only under strict safeguards. Article 3(5) and Recital 16 require the optimization of specialized services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialized services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialized services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialized services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behavior in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
J.V. King

Name: Dr. Andrew Grosse  
Email: [a\\_grosse@utas.edu.au](mailto:a_grosse@utas.edu.au)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

\* Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user?

Zero rating does not imply that the bandwidth is actually sufficient for the job anyway. Moreover, the entire concept of limiting bandwidth by using quotas is primitive, inefficient, and not used at all in many places. I am not in favour of internet connections that preference certain content providers over others, without the user having any real choice in the matter. It would be better for users to have subscription services provided gratis, than to bias network connections.

\* What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Preferential treatment of traffic from given sites will suppress creativity and content, in favour of the corporates who pay extra for their ads to look important. It is understandable to have subscription services, where paying for preferential access to services might be possible, but it is not appropriate to apply this in general to all internet traffic. This would grant corporate internet services to unfairly profit from the hard work of others by being given preferential treatment. Unless they actually BUILT the network, including wires, cables, connections, nodes, satellites and wireless transmitters, then it's not theirs to monopolise.

\* Is there a demand for specialised services? Which services should be allowed this special treatment?

Streaming video and music would be the only genuine application I can foresee, and it's questionable if they should be given better access than equivalent providers. The network is not theirs to buy or sell.

\* Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO. Interference and examination of my internet traffic is a violation of my right to privacy, and has the potential to compromise my financial security too. Political interference and persecution of minorities are also possible if you allow packet inspection. I have absolutely no faith in private corporations to treat data privacy ethically.

\* How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should adhere to the service guarantee they provide when I signed up, or I would seek legal compensation. Throttling of non-preferred sites is not part of their service provisions, and would be a violation of contract. In general, although ISPs can offer whatever services they think they can sell, I will exclusively favour those who do not preference or throttle any networks, as I do not wish to be ushered under the umbrella of some corporate monolith. Traffic should be anonymous and impartial, with the exception of deliberately disruptive massive traffic (ie Flooding, DDOS, etc).

\* What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Comparative tables would be most meaningful - comparison with network mean response times, and that of these 'optimised tunnels'. All the values that might be measured can only be made meaningful by comparison with other samples and situations.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Dr. Andrew Grosse

Name: Jillian Sang  
Email: [jilliansang@hotmail.com](mailto:jilliansang@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Jillian Sang

Name: Dietmar Kruse  
Email: [dietmar.kruse@gmx.de](mailto:dietmar.kruse@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
nein.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Die Ermöglichung von Spezialdiensten führt zur Beschränkung von allem Anderen, was nicht Spezialdienst ist. Wer so etwas wirklich braucht, kann sich eine Standleitung mieten.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
nein. Keine.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Es sollte nicht nur eine "bis zu" Bandbreite angegeben sein, sondern auch eine garantierte.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass

Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Dietmar Kruse

Name: larry hertz

Email: [hertz33@earthlink.net](mailto:hertz33@earthlink.net)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

there is no positive impact for specialised services

Is there a demand for specialised services? Which services should be allowed this special treatment?

yes but it shouldn't be allowed

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all of the above

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
larry hertz

Name: John Cook  
Email: [johncook@blueyonder.co.uk](mailto:johncook@blueyonder.co.uk)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The only demand I can see is from the "commercial practitioners" looking to monetize their control.

Is there a demand for specialised services? Which services should be allowed this special treatment? The only demand I can guess at is that from the providers of the services who see the potential of making extra money.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

This is a gross invasion of privacy for purely commercial gain by providers using the information collected - either by the providers or third parties.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There should be no interference with private internet connections

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I get reasonable information on my internet connection from my current provider.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
John Cook

Name: Jamie Stewart  
Email: [jamiandhelen@bellsouth.net](mailto:jamiandhelen@bellsouth.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I need upload power, and cannot get it some SLOOOW lane trap.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Without 100% freedom of the net, we all lose our right to choose, and must submit to another's ethical dilemma rather than our own.

Is there a demand for specialised services? Which services should be allowed this special treatment?

NONE

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE. They should govern their own house and let everyone else control theirs.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jamie Stewart

Name: Henry Tünte

Email: [henry.tuente@posteo.de](mailto:henry.tuente@posteo.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Der Bedarf ist für mich nicht erkennbar! In letzter Konsequenz führt er zu einer Diskriminierung kommerziell weniger verwertbarer Dienste! Ich zahle monatlich bereits ordentlich für eine Flatrate und sehe nicht ein an anderen Stellen weiter abgezockt zu werden.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Positive Einflüsse sind für mich als Endverbraucher nicht erkennbar. Ich sehe ausschließlich nachteilige Verzerrungen und die Entstehung eines Zwei-Klassen-Internets!

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Keine! Sie verhindern den bedarfsgerechten Ausbau der Übertragungskapazitäten. Dies wird zu einer deutlichen Verschlechterung der Qualität der Übertragungsgeschwindigkeiten insgesamt führen!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Auf keinen Fall! Ich verbitte mir jegliches Ausschnüffeln und die Verletzung meiner Privatspähre sowie meiner Persönlichkeitsrechte!! Pfui!!!

1984 ist Geschichte - Willkommen im Skynet!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht! Schließlich zahle ich bereits für einen diskriminierungsfreien Zugang!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Alle!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Henry Tünte

Name: Justin Rohrer  
Email: [rohrej@ieee.org](mailto:rohrej@ieee.org)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Specialised services should only be allowed if the consumer chooses them, and should not be allowed to replace or reduce the quality of access to existing Internet services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Specialised services ensure that entrenched sites remain the most popular and new offerings can't compete. This encourages monopolistic tendencies and decimates innovation and competition.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial practices that change the way I access the Internet or make some services or website outperform others or not desired and greatly diminish the value of the service I am paying for as an end user.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISPs should not be able to prioritize my traffic unless I get to choose the priorities.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Yes, as long as no content is retained.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Minimum and maximum bandwidth, latency, any traffic shaping including port-based and deep-packet inspection, any caching behaviors, any interference with DNS such as replacing failed DNS lookups with ads or redirects. Any traffic that will be blocked or cause my internet connection to be blocked.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Justin Rohrer

Name: Viniciud Freitas  
Email: [vinnie.freitas@gmail.com](mailto:vinnie.freitas@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there isn't. We can empower users to throttle their services themselves. This could quickly become a tool for censorship and crony profit practices by making information requested practically inaccessible and giving power to ISPs to charge more for highly demanded services which are currently accessible.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Cost of deploying new services - specially those which have low latency and high bandwidth requirements - would go up, making it harder to enter the market. Similar initiatives without profit motive will suffer even more.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None that I can think of. Consumers buy bandwidth for any service. If consumers are demanding priority of bandwidth for a certain service, empower them with tools to allocate their bandwidth as they desire. There's no reason for ISPs and internet companies to decide for consumers.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Never. This is unnecessary to me and an invasion of my privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not all. I can do so at my own discretion.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of that. I would also like to be alerted when my connection is being throttled.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Vinicius Freitas

Name: Reinold Gayre  
Email: [reinoldgayre@minardcastle.com](mailto:reinoldgayre@minardcastle.com)  
Confidential: No

-----  
Dear Sir or Madam

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No. They could limit my rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

This would have a negative impact.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Reinold Gayre

Name: Sarah Warren  
Email: [flootzavut@gmail.com](mailto:flootzavut@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? There may be a demand, but not from the end user. Commercial interests shouldn't interfere with the functionality of the internet.

The ISP should not be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

My ISP should not be able to interfere with my Internet connection - for example to throttle or prioritise certain types of online traffic (video, P2P, etc).

All information pertinent to the quality of my internet service should be available to me.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sarah Warren

Name: S B  
Email: [ladygojira@gmail.com](mailto:ladygojira@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would discourage innovation and openness. The only positive would be for internet providers and companies in the "fast lane".

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
S B

Name: Werner Behnke  
Email: [bazonga@gmx.de](mailto:bazonga@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein. Solche Praktiken wie z. B. Zero-Rating beschränken die Benutzer bei der Verbreitung von Inhalten und schränken die freie Auswahl von Inhalten ein. Eigene Inhalte der Provider wie z. B. MobileTV der Deutschen Telekom erhalten durch Zero Rating unzulässige Marktvorteile gegenüber anderen Inhaltenanbietern.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht. Mein Provider soll alle Datenpakete gleich behandeln unabhängig von Sender und Empfänger und Art der Pakete und der erzeugenden Anwendung.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Provider müssen in Verträgen leicht lesbare, vergleichbare technische Daten zum Internetanschluss geben, anhand derer man die Quality-of-Service von Anwendungen bewerten kann (max., min., durchschnittliche Übertragungsraten, Latenzen, ...)

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Werner Behnke

Name: Lars Merke  
Email: [larsmerke@gmail.com](mailto:larsmerke@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Lars Merke

Name: Denis Hanlon  
Email: [denishanlon@yahoo.com](mailto:denishanlon@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Denis Hanlon

Name: Karen and Jeff Hay  
Email: [jakehay@hotmail.com](mailto:jakehay@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No. None.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. Your ISP should tell you concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become less discriminatory simply because the provider is "transparent" about it in the consumer contract.

Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Karen and Jeff Hay

Name: Jörg Paßlack  
Email: [promon@gmx.net](mailto:promon@gmx.net)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Für sicherheitsrelevante Dienste könnte es Sonderregelungen geben.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
garnicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Quality-of-Service

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für

Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Jörg Paßlack

Name: Catherine Hirsch  
Email: [chkh@earthlink.net](mailto:chkh@earthlink.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I'm not sure, but I don't believe in interference.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Just enough to understand.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Catherine Hirsch

Name: Uta Lömpel

Email: [loempel@t-online.de](mailto:loempel@t-online.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

keine

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
ich will alles wissen was mit meinem Anschluss zu tun hat

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es

ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Uta Lömpel

Name: Michael Elkevizth  
Email: [melkevizth@gmail.com](mailto:melkevizth@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes, but I agree with the FCCs view in the US that it is equivalent to an 800 number.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Who can really say what the positive and/or negative impacts would be? There will be things happening in the future that we can't even imagine right now.

Is there a demand for specialised services? Which services should be allowed this special treatment? Emergency services could benefit, but I believe those should be set up on a separate network entirely to keep them from experiencing the issues that any network as inclusive as the public Internet is bound to experience.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This would be a direct invasion of privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference should be done by an ISP based on content of the network traffic. Overall connection speed and total bandwidth should be the only control an ISP has.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Michael Elkevizth

Name: Chris Munton

Email: [chrismuntonwolves@hotmail.com](mailto:chrismuntonwolves@hotmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Chris Munton

Name: David Shannahoff-Khalsa

Email: [dsk@ucsd.edu](mailto:dsk@ucsd.edu)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREK net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

Is there a demand for specialised services? Which services should be allowed this special treatment?

no

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

speed, quality of service, competitive pricing

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREK guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
David Shannahoff-Khalsa

Name: Digiware  
Email: [wine@withagen.nl](mailto:wine@withagen.nl)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
not at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
hands off of my packets

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Digiware

Name: JAMES B. STENGLE, CWB

Email: [jstengle@frontier.com](mailto:jstengle@frontier.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

JAMES B. STENGLE, CWB

Name: Harry Winterbottom  
Email: [harry.winterbottom@mac.com](mailto:harry.winterbottom@mac.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
no

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Harry Winterbottom

Name: Ryan Buckley  
Email: [rygy250@gmail.com](mailto:rygy250@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If my ISP made Google Play Music zero rating, when I use Spotify that would encourage me to pay for Google Play Music so I wouldn't have to pay for extra data. As Spotify is a smaller business they would lose a lot of business and potentially have to downsize or go under leaving everyone with one less choice for this service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No it invades privacy

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all, all data is equal

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Any information I can get my hands on

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ryan Buckley

Name: Janice Messer  
Email: [scubarang@yahoo.com](mailto:scubarang@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Zero percent.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Janice Messer

Name: Johann-Jost Dierks

Email: [jo@jddierks.de](mailto:jo@jddierks.de)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? There could be a demand for quick data transfers – maybe for hospitals and healthcare issues or self driving cars. However, these services should never be routed through the common internet. No one wants a loading animation during an heart-operation or while driving with 150km/h on the highway.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not. No one should be allowed to monitor my traffic, especially not the contents of my traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There should never be any interference. Any data-packet should be treated equally.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Johann-Jost Dierks

Name: Herbert Davis  
Email: [poppad48@ymail.com](mailto:poppad48@ymail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Herbert Davis

Name: David Shingles  
Email: [david\\_shingles@hotmail.com](mailto:david_shingles@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No one I have met has ever shown any interest in commercial practices such as zero-rating. I would find such a practice truly appalling because it would infringe on my rights as an end-user. With zero-rating in effect ISP's would have the power to basically stomp out any sort of competition or business that does not support them. As an example, let us say ISP X is allowed to practice zero-rating, then two companies offering similar services start up online. Some consumers will prefer company A and some will prefer company B. Then company A makes a deal with ISP X to be apart of it's zero rating plan, while company B continues on as before. As soon as the zero rating comes into effect all new business will instantly flock to company A because it is more cost effective, stomping out Company B and leaving all those who prefer it to company A with No Choice as to what service they will use. It is that kind of eradication of choice that will happen on a massive scale if ISP's are allowed to use these "commercial practices". That is why it must not be allowed to happen.

Is there a demand for specialised services? Which services should be allowed this special treatment? I have seen no demand for these specialized services and none of them should be allowed because they will compromise the freedom of the consumers and the internet itself.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

According to the ISP's the positive effects of specialized services are companies who are willing to pay more will have easier access to consumers of the goods or services. That is not so bad except, it also gives the ISP's power to, effectively, slow down any business that is not willing or able to pay the price of a special service. This would have many negative effects on the consumers rights and also on small businesses that are just getting their start online. Many ISP's have often claimed they would never practice such behaviors, but one only needs to look at the customer approval rating of most of these companies to see how little they care about how their practice effect their customers.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive any and all information I can about how my internet service is provided and managed, spare no detail I am quite willing to read it myself.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No,they should not, because they would use that information without my consent.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should have no say in where or how I use the services they provide. I am giving them the money they ask for and in exchange I should be allowed to use the service as I see fit, with no tampering on their part.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
David Shingles

Name: Jonathan Hartman  
Email: [doctorjonny1@gmail.com](mailto:doctorjonny1@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
when commercial interests are given preference, it hurts the public.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
unknown

Is there a demand for specialised services? Which services should be allowed this special treatment?  
unknown

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
IPS should not be able to vary the internet connection.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
very heavy users should be assessed for "excessive" use; a standard of (say, 15 X average user's use) should be created. IN NO EVENT SHOULD CONTENT EVER BE MONITORED.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jonathan Hartman

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Max Maaß

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\* Specialized Services should only be allowed for services that cannot reasonably use the regular internet. They should explicitly NOT be allowed for existing services on the internet, like streaming.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\* If a reclassification of existing internet services like streaming to specialized services were allowed, this would be the end of net neutrality and the open internet. Specialized services that cannot reasonably use the normal internet, like high-availability connection for critical health applications, may have a positive impact, however I do not yet see any need for them.

\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\* Zero-Rating is a form of positive discrimination. In Germany, the Telekom has an exclusive deal with Spotify to exclude Spotify traffic from the regular quota on mobile phones. This leads to a direct disadvantage for Spotify's competitors and may shape the decision of end users as to which music service they will be using. This form of discrimination should be forbidden.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No. There is no reasonable case in which DPI would be positive, but it has great potential for security and privacy problems.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\* The ISP should be legally required to treat all traffic equally.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I'd like to be able to request all information relevant to my connection

- the speed, QoS (especially traffic management strategies if they are still allowed), and information on what data is retained about it on the ISPs end.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Max Jakob Maaß

Name: Hannelore Feicht  
Email: [hannelore.feicht@freenet.de](mailto:hannelore.feicht@freenet.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Ich sehe keinen Bedarf für Spezialdienste!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
überhaupt nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Ich erwarte klare und verständliche Informationen und Aussagen zur Qualität des Services und zur Geschwindigkeit. Bei der Leistung ist es wichtig, dass diese für mich als Benutzer qualitativ hochwertig ist, sodass keine Störgeräusche oder Verzerrungen auftreten.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen

Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Hannelore Feicht

Name: MP-trans d.o.o.

Email: [tomazprezelj3@yahoo.com](mailto:tomazprezelj3@yahoo.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No demand, it could limit my rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Only benefit for big corporations which is not the purpose of society and was never a goal of human evolution. History will remember.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I don't allow to interfere at all!!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

How my traffic is managed!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
MP-trans d.o.o.

Name: Claudia Garad  
Email: [claudia.garad@wikimedia.at](mailto:claudia.garad@wikimedia.at)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

People should be able to make up their own mind on what services to use on the internet. Zero-rating is an unacceptable disenfranchisement of users

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can't think of an scenario where such specialised services would be really necessary

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't see any convincing use cases for such services

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Claudia Garad

Name: Arthur Jarrett  
Email: [artjar@tesco.net](mailto:artjar@tesco.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating is a component and tool for discriminatory operation.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

'Specialised Services' can readily become a tool of discriminatory practice. Unless there is very clear-cut definition and limitation on them.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Only non Internet services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Intrusive inspection is wrong. Counter to privacy and if formally approved, invites the corporate tendency to misuse.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only in so far as contract allows.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

EDRi 10 Points to Safeguard Net Neutrality - with effective power via a govt. appointed authority.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Arthur Jarrett

Name: Andy Wallace  
Email: [andy.wallace@tachiagare.co.uk](mailto:andy.wallace@tachiagare.co.uk)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I believe the only demand for specialised services is being artificially created by service providers in order to manipulate consumers into a position where they have to pay more for less service.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Paid Internet fast lanes would be disastrous for development and innovation as this essentially "prices out" all smaller developers and innovators. This allows large corporations free reign over the internet and freedom to control their own interests and prioritise theirs above all others.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The commercial side of zero rating is already being used to devastating effect with 3rd party video services being restricted and a provider's own service is allowed to transmit at full speed. This is basically ransoming a service which should work perfectly under normal conditions.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Very little, and only to ensure time sensitive traffic, such as VOIP, are able to run without interference.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I believe that an ISP should provide regular updates on it's network and perhaps notifications stating your average speed for the month/quarter and compare that to the national average/available speed for the user's geographical area.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Yes, but only in extenuating circumstances such as network preservation. For example: Torrent traffic eating into a network and using all the available bandwidth whilst time sensitive traffic such as streaming takes a hit.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Andy Wallace

Name: Rosalie Ledbetter

Email: [rosaliewest2020@gmail.com](mailto:rosaliewest2020@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I think it's an invasion of my privacy. This is a very bad idea for us customers!!!!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Rosalie Ledbetter

Name: Marilyn Sutton Loos  
Email: [MJSuttonL@Outlook.com](mailto:MSuttonL@Outlook.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. ISPs should remain neutral and treat their work as an international trust.....

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Marilyn Sutton Loos

Name: Karin Oesten

Email: [karin.oesten@gmail.com](mailto:karin.oesten@gmail.com)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Manipulation von Information aus kommerziellen oder auch politischen Gründen. Ausbau von Hierarchien und Machtstrukturen für finanziell oder politisch einflussreiche Strömungen.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Öffentlich rechtliche Medien (Fernsehen und Rundfunk)

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, natürlich nicht!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Karin Oesten

Name: Deborah Reade  
Email: [reade@nets.com](mailto:reade@nets.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial practices such as zero-rating would definitely limit my rights in using the internet. It would limit what I could send and receive online and how often I could do that. It might completely stop me from using the internet for certain functions. For people who now can barely afford to be online, it would definitely stop them dead from using anything that costs more. That completely limits those people's access and their use of the internet. Many, if not most, of such people are people of color, poor people and often rural people. Since more and more the internet is THE primary instrument of communication--and particularly communication with Government that often will ONLY communicate online--limiting such people's use of the internet with these restricting commercial practices is clearly discriminatory. People of color and poor people in this country WILL be disparately impacted by such practices.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I see no positive impacts for the public from specialized services. The only positive impacts of such "services" would be increased profits for the providers. We have a wonderful thing in the free and open internet now but some greedy people just want to squeeze "all that the traffic can bear" from the end-users and destroy this wonderful gift that has been created. I see only negative effects from this for the public and for the growth and development of the internet in the future. And, as I mentioned before, these negative effects will hit the poor and people of color the most so "specialized services" are definitely discriminatory. Do we want free inquiry and greater communication worldwide, an increase in equality and freedom, or do we want to throw it all away so a very few already rich people and companies can get richer?

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No. None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Never. Especially they shouldn't be able to see my content. Privacy is very important to me and having commercial institutions reading my content is every bit as bad as having the NSA or the government doing it.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP shouldn't interfere at all with my connection. They should provide a service that is the same for everyone and for all types of media. If some things, like video, cost them more, they should include that calculation in what they charge me for the whole service. Adding additional service costs either to the sender or the receiver for this and that, or giving people slower or bad service if they don't pay extra is an incredibly bad idea.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I really have only received information on speed as I find the language about the rest to be highly technical and confusing. It would be great to have contracts include this information in easily understood language.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Deborah Reade

Name: Lisa Whalen

Email: [bossalmw@yahoo.com](mailto:bossalmw@yahoo.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The new EU rules would let Internet providers be lazy—or evil—and throttle traffic they don't care about, or don't like, even when there's no need to.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

A subtlety in the rules would let ISPs offer "specialized services" in a fastlane that would cannibalize bandwidth for other services. We need to make sure that if an ISP offers a specialized service (like television), that bandwidth is in \*addition\* to whatever else people have. Otherwise it's a fastlane.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lisa Whalen

Name: Jay E Treat  
Email: [jtreat@gmail.com](mailto:jtreat@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jay E Treat

Name: Chris Bullen  
Email: [auralbeesty@btinternet.com](mailto:auralbeesty@btinternet.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There's no demand from me. it is hard enough to find a real choice of content and services already because of the large player on the internet such as Google and Amazon. I have already started using real shops in preference to online ones because of limited options on many search engines. What use are sites in the US to me, a resident of UK?

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Smaller more exciting innovators will be put off. Prioritising large corporate providers will just stultify innovation that goes beyond current thinking.

Is there a demand for specialised services? Which services should be allowed this special treatment? There may be some specialised service demand but they should not receive preferential treatment as this would lead to a very narrow internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not at all. This would limit choice

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all I could not run my business efficiently if connections were slowed. Communication with others would be almost impossible.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

This kind of info would, for example give one and idea of why there is a jerky connection sometimes. It would enable one to know whether hardware is at fault

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Chris Bullen

Name: Jens Haufe  
Email: [C1118@snafu.de](mailto:C1118@snafu.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
On no way.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
In no way.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Speed only.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Jens Haufe

Name: Alejandra R. A.

Email: [aleroarronte@gmail.com](mailto:aleroarronte@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. If that is done, then our right to privacy will be violated.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Alejandra R. A.

Name: Patrice Curedale  
Email: [patrice.curedale@gmail.com](mailto:patrice.curedale@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

My right to choose what I do and use on the internet should not be impacted zero rated services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The negative impact on freedom of information flow and on political dialogue are obvious.

Is there a demand for specialised services? Which services should be allowed this special treatment? not sure if any should be, but it should be regulated and not left up to for profit providers alone to decide.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All, especially true speeds since we seem to be charged but have no reliable verification if we are receiving what we pay for.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Patrice Curedale

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Franz Gratzner  
Verein Gegen Tierfabriken (VGT)

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No.

Leaving behind net neutrality would harm those who challenge institutions in power and who do not have enough funding to pay for fast lanes. Therefore specialised services would seriously damage democratic liberties on the world wide web.

If only some sources are exempt from traffic rating those services automatically will become preferred sources for users. This way zero-rating would undermine equality and fair conditions for all content providers. Inequality would be enforced by granting or denying zero-rating.

If possible, data that could be harmful if shared to the wrong entities, should not be collected in the first place. This ensures such data can not be abused.

ISPs are private service providers. It is not their task to regulate citizen behaviour. ISPs are no government or law enforcement agencies.

They are not instated by democratic processes and shouldn't exercise such powers.

The best way to express internet speed information would probably be with standardised usage test results, directly comparable over different providers. Much like graphic performance tests for computer systems in magazines. There could even be an absolute final value with growing numbers as connectivity technologies evolve. Maybe split down in different numbers for average speed, lowest speed, maximum speed and reliability (maybe even supplied for different time frames like during office hours, in the evening, in the morning or at night).

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Franz Gratzner  
A concerned citizen

Name: Maxine Clark  
Email: [maxclark90@gmail.com](mailto:maxclark90@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Maxine Clark

Name: Warren Land  
Email: [w.todd.land@gmail.com](mailto:w.todd.land@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Warren Land

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Sebastian Horndasch

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Sebastian Horndasch

Name: Regina Woiler  
Email: [woiler.regina@gmail.com](mailto:woiler.regina@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Regina Woiler

Name: Adam Salcewicz  
Email: [asalcewicz@gmail.com](mailto:asalcewicz@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There's a commercial demand for these practices, meaning businesses want to implement them. Charging content providers extra strangles new ventures and will inevitably increase my costs as a user. No business pays increased fees they pass it along to their customers

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Negatives were covered in the last answer, namely increased barrier of entry for new ventures and solidifying access and power in the hands of those already on top. Is it possible that by having less competition exposing providers have more resources to develop new and better services? I suppose, but history shows that extra capital ends up in pockets and not in R&D

Is there a demand for specialised services? Which services should be allowed this special treatment?

Covered already. I can't imagine any content provider is eager to pay more for access to what should be considered a utility, but there are already numerous examples of ISPs looking for ways to charge more for access to said utility

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. I don't want the postal service looking through my mail for "traffic management", nor do I want ISPs doing the same

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Ideally none. Internet is a utility at this point, access should be unfettered

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Adam Salcewicz

Name: Bob Edgerly  
Email: [bobe7@mac.com](mailto:bobe7@mac.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Bob Edgerly

Name: françois  
Email: [zuberaz@gmail.com](mailto:zuberaz@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
service applications for video - music - art - culture etc.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

yes

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no way

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

the more information possible

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

zero

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
françois

Name: Joe Graft  
Email: [tomsr@aol.com](mailto:tomsr@aol.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely NOT!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
I don't know.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All of the above.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Joe Groft

Name: steven goldman  
Email: [semelg@aol.com](mailto:semelg@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any commercial practices which limit user’s rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation

Is there a demand for specialised services? Which services should be allowed this special treatment? not that i know of

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

there arent really any positives to specialized services especially if they are offered as substitutes for internet access.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all is very important to the consumer, business or otherwise

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

they shouldnt be able to at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
steven goldman

Name: James Splane  
Email: [jscanadianpatriot92@gmail.com](mailto:jscanadianpatriot92@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREK net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I do not know.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I do not know.

Is there a demand for specialised services? Which services should be allowed this special treatment? Perhaps in certain cases, but only in very special circumstances.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not if there are reasonable alternatives.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

As little as possible.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know that people were not unfairly limiting my access to websites of my choice.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
James Splane

Name: Wayne Charlton  
Email: [waynecharlton76@yahoo.com](mailto:waynecharlton76@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Minimally to not at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Wayne Charlton

Name: Richard Creswell  
Email: [rickcreswell@yahoo.com](mailto:rickcreswell@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No to "zero." I need alternative news sources which are money-limited. I need communications for volunteer action, by definition non-commercial.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
NO!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No Geez I pay an arm and a leg for slow service.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All transparent and easily available.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Richard Creswell

Name: Matthias Lange  
Email: [lange.matthias@gmx.de](mailto:lange.matthias@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Zero-Rating ist nur ein Mittel, um vorhandene Marktmacht zu festigen. Es steht der Innovation entgegen, indem es Einstiegs-Hürden aufbaut, sowohl für neue Anbieter als auch für den Endverbraucher, der sich auf neue Anbieter einlassen möchte.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Jegliche Sonderregelungen und "Spezial"-Dienste o.ä. machen die Arbeit für den Verbraucher nur aufwändiger und undurchschaubarer.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Keine. Es gibt einen Bedarf für Netzausbau. Wenn dabei jedes mal überlegt wird, welcher Dienst gerade rechnerisch eigentlich noch durchkommen müsste und welcher nicht, verzögert das nur unnötig, anstatt das Problem zu lösen, wenn die Flussbreite nicht ausreicht und sich das (auf welche Art und Weise auch immer) bemerkbar macht.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, das würde den Datenschutz zu sehr zurückdrängen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Gar nicht. Alle Datenübertragungen müssen gleich behandelt werden, alles andere fördert nur sinnlose Umgehungsstrategien und lenkt von der Hauptaufgabe ab, das Netz allgemein auszubauen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Es muss ausreichen, die Geschwindigkeit zu kennen und dass diese Angabe realistisch ist. Alles weitere sollte für den Endverbraucher (wie mich) keine Rolle spielen - er braucht die Zeit, um sich auf die Nutzung und Inhalte zu konzentrieren, nicht auf die technischen Hintergründe. Der Gesetzgeber sollte dies durch möglichst einfache und klare Vorgaben ermöglichen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Matthias Lange

Name: Michael John Cross  
Email: [geornid@gmail.com](mailto:geornid@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Michael John Cross

Name: Karen MacLeod  
Email: [witch1953@live.com](mailto:witch1953@live.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

THEY CAN INFLUENCE WHAT I SEE OR SEE ONLY WHAT THEY WANT ME TO SEE.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It will slow or even stop new services or business and will stop access to free flow of information to all users

Is there a demand for specialised services? Which services should be allowed this special treatment?

All services should be treated equally

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO, that gives the ISP access to complaints against them and they can then have the ability to stop delivery

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All that has an effect on my access and my ability to free and unfiltered information

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Karen MacLeod

Name: Jamie Bissett  
Email: [j4mst3r101@gmail.com](mailto:j4mst3r101@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No, privacy is key.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not a lot, I want the upload and download speeds I pay for without unneeded latency.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jamie Bissett

Name: Pim Sutter  
Email: [pim.san@live.nl](mailto:pim.san@live.nl)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Pim Sutter

Name: Anthony McMillan  
Email: [semitar6@yahoo.com](mailto:semitar6@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I think you said it best, "Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation."

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I think its pretty easy, to see that this could have a discriminatory effect on small businesses & individuals, who cannot afford to pay for fast access to the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I don't think any service should have special treatment

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Hell No....

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It seems we already pay to get online, I don't think its reasonable to have to pay twice...

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

You should be able to find out the speed of connection, quality of service...etc.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every

enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Anthony McMillan

Name: Rick Lerche  
Email: [rick\\_ler@yahoo.com](mailto:rick_ler@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Rick Lerche

Name: Sharon Rice

Email: [silveragkelos@hotmail.com](mailto:silveragkelos@hotmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sharon Rice

Name: Mary G Barrow  
Email: [marygbarrow@yahoo.com](mailto:marygbarrow@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Mary G Barrow

Name: Jack Coles  
Email: [jackcabbages@gmail.com](mailto:jackcabbages@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
The emergency services only (fire, medical, police, coast guard).

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
A specialised service could help for contacting the emergency services - otherwise, they should not be used to divert traffic towards one site or another.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Very little.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
How much of my speed is lost due to external management.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Jack Coles

Name: Erdmuthe Farthofer  
Email: [Erdmuthe.Farthofer@web.de](mailto:Erdmuthe.Farthofer@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Nicht finanzstarke Privatpersonen und Firmen / Organisationen werden benachteiligt.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
keine

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
alle Informationen leicht verständlich

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
überhaupt nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte.

Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Erdmuthe Farthofer

Name: Laurent GATEL  
Email: [lgatel@yahoo.fr](mailto:lgatel@yahoo.fr)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

"specialised services" which would allow a discriminatory "fast lane" for services will protect big providers from competition from inovatives newcomers.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! Never!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not be able to interfere with my Internet connection - for example to throttling or prioritise certain types of online traffic.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

It would be normal to get standardised information about the quality of the service provided. In order to follow its evolution and to compare providers.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Laurent GATEL

Name: Marsha V Lowry  
Email: [Ms.Marsha-V-L@Pacbell.Net](mailto:Ms.Marsha-V-L@Pacbell.Net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Some have a priority and are able to improve their product at a substantially faster rate than others who can't afford it.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
not sure

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None, Mine is slow enough as it is.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Yes, all of the above. But if they told me that, and my service sucked, I might go elsewhere

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Marsha V Lowry

Name: Christopher Wayne Buckley  
Email: [christopher\\_buckley@alumni.stanford.edu](mailto:christopher_buckley@alumni.stanford.edu)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, individual monitoring - even for the purpose of managing traffic - is a dramatic overreach of government oversight on individual thought, practice, and assembly.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not. Restricting my access to certain kinds of online traffic restricts communication and freedom of thought.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Christopher Wayne Buckley

Name: Holger Müller  
Email: [holger82@kaffeeschluerfer.com](mailto:holger82@kaffeeschluerfer.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich verlange: Die technisch verfügbaren Datenbandbreiten eines Internetproviders sind auf alle zeitgleichen Nutzer in gleichen Anteilen zuzuteilen. Absolut unabhängig vom Dateninhalt oder Verbindungstyp. Einzige Ausnahme dabei ist nur eine Limitierung bei Erreichen einer eventuell vertraglich vereinbarten maximalen Bandbreite.

Es ist unter allen Umständen auszuschließen, dass die Nutzung bestimmter Internetdienste durch Nutzer A, die verfügbare Internetbandbreite oder bestimmte Internetdienste von Nutzer B beeinträchtigt.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Einzige Ausnahme für Spezialdienste sind Notrufe und sicherheitsrelevante Dienste, wie z.B. zur Steuerung von Personen- und Güter-Verkehr. Alle Spezialdienste sind staatlich zu kontrollieren und auf das Notwendige zu beschränken.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? In keinsten Art und Weise.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Holger Müller

Name: Kyle Whitham  
Email: [kvwhitham@gmail.com](mailto:kvwhitham@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
They should only be able to monitor the quantity of data being sent and received.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISP's should only be allowed to interfere with Internet connections when safety to the general public is a concern.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Kyle Whitham

Name: Hunter Meredith  
Email: [darthkingdom@yahoo.com](mailto:darthkingdom@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Stifling competition.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Hunter Meredith

Name: Joseph Orr  
Email: [greenmasterman49@gmail.com](mailto:greenmasterman49@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
they ought to have no influence whatsoever.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.  
Kind regards,  
Joseph Orr

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Petra Kramer, Dutch citizen

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules.

Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Petra Kramer

Name: Unitarian Universalist Congregation, Santa Rosa CA

Email: [linda37@sonic.net](mailto:linda37@sonic.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Don't know

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can't think of any positive ones.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

As little as possible

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I don't care.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREK guidelines.

Kind regards,  
Unitarian Universalist Congregation, Santa Rosa CA

Name: Alessio Becheracci  
Email: [d.alter@yahoo.it](mailto:d.alter@yahoo.it)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Alessio Becheracci

Name: Lawrence G. East  
Email: [rstyeast@aol.com](mailto:rstyeast@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes. It could limit access to information that was originally open to everyone like streaming video and audio.

Is there a demand for specialised services? Which services should be allowed this special treatment? There should be no special treatment.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would limit Internet access to everyone.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Just as long as everything is available online.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Lawrence G. East

Name: Alix Keast  
Email: [alixk3@gmail.com](mailto:alixk3@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The Internet was intended to be available to all people everywhere. This is of huge importance to users all over the world.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I don't know.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Alix Keast

Name: Tommy Wharton  
Email: [infromthecold79@gmail.com](mailto:infromthecold79@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there is no demand. These are simply ideas from ISP think tanks to drub up interest and make more money. Prioritizing may threaten my internet freedom, which should be as valued as the next person's, regardless of what we choose to pay.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Internet freedom is a true driver of ideas because it is such a widely and immediately available source of information and inspiration. To restrict that would be to limit the confines of the individual's mind.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Tommy Wharton

Name: Izzie Silva  
Email: [icsscb@gmail.com](mailto:icsscb@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Izzie Silva

Name: ignasi orobitg gene  
Email: [ignasiorobitggene@gmail.com](mailto:ignasiorobitggene@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
ignasi orobitg gene

Name: Jennifer Lockett  
Email: [lockettjk@gmail.com](mailto:lockettjk@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No special treatment.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No demand. It will limit rights as a user. Look at China. It's the same thing. I do not want anyone deciding what is important for me to have access to or not to have access to. Either way it's censorship and that is not something anyone should want.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I want to be able to find things on the internet made by indie and niche designers and producers. I have no interest in purchasing things made by the majority of mainstream, monolithic corporations and the internet allows me to do this. With ISP providers strangling small businesses it will kill them and anyone else seeking to find a market online. That is not acceptable.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Jennifer Lockett

Name: Ginger Mazzadi  
Email: [carpanotta@yahoo.com](mailto:carpanotta@yahoo.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No priorities.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Pricing everyday people out of a free world wide web.

Is there a demand for specialised services? Which services should be allowed this special treatment? The only specialized services that I would think prudent to CANCEL altogether are sites that promote violence or child pornographers... that's it.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

yes

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Ginger Mazzadi

Name: Hobie Anthony  
Email: [Hobartcat@gmail.com](mailto:Hobartcat@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No. These do limit my rights.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, the content of traffic is not their business. They are not the police.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None. The internet is about free information. No arbitrary entity gets to regulate that.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Hobie Anthony

Name: Seth Wilpan  
Email: [sethwilpan@gmail.com](mailto:sethwilpan@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating could definitely prejudice against the use of sites that are not favored by the service provider.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

When money rules, democracy suffers.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

If there is any restriction on bandwidth use it should be completely based on volume and be agnostic to source or type of content.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Average and available speed, quality of service parameters.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Seth Wilpan

Name: Jakob Kopperud / personal

Email: [jakob@kopperud.com](mailto:jakob@kopperud.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If provided at an initially low cost, without the user being made aware of what he/she is losing, there will of course be a demand. That is also the case for drugs, as we were all taught in school. If my operator allows free streaming of certain services, someone else is paying for it, either the provider, or the user through other hidden fees. Service providers which can not or do not want to pay for the free streaming to the users will then become more expensive, reducing the real choice of the user.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

New businesses and new ideas will have much higher barriers to entry, slowing down or stopping new services and ideas. Existing service providers will act according to the incentives specialized services put forward - they are likely to innovate less as new providers are prevented from getting the same access to the end-user, and for the existing providers a larger share of their running costs will go to pay for the specialized services, while their incentives for investing in innovation will be limited. For the users, for innovation, and for society at large, there are no long-term positive effects whatsoever of creating a rent-seeking oligopoly.

Is there a demand for specialised services? Which services should be allowed this special treatment? A false demand can be created, but the real demand is for real and equal access to all services. If any services should be allowed priority, it should be limited to emergency alerts/information for tsunami-like situations.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Management of traffic, quality of service and speed are all important. I certainly would want to know if some of my content is "sponsored" through special services.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jakob Kopperud / personal

Name: Nick Engelfried  
Email: [nicke.activism@gmail.com](mailto:nicke.activism@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not sure

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP should not be able to interfere with internet connections at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Nick Engelfried

Name: Matthew Weller  
Email: [matgweller@gmail.com](mailto:matgweller@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Netflix is an example of a service that could potentially never flourish if restrictions on the open internet are pushed through. New companies bringing fresh concepts to the market will be stifled by the fact they can never compete with a larger corporation who can run their content through a "fast lane"

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I disagree.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Matthew Weller

Name: Carl Gendvil  
Email: [bluesenshi@verizon.net](mailto:bluesenshi@verizon.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I would like information on all three of these items.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Carl Gendvil

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

**\*Please enter your name/organisation\***

Roman Reiß

**\*Is there a demand for specialised services? Which services should be allowed this special treatment?\***

I don't think there is a demand for Specialized Services right now. Even the Supporter failed time and again to give specific examples where the normal connection are not sufficient. Therefore it should only, if at all, be allowed for services where it is proven that normal treatment is not sufficient by an interdependent committee outside of the service providers.

**\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\***

If specialized services will become a widespread phenomenon, it will only enhance the grip of the big players on the market. Those who can pay for the special treatment will prevail at the cost of start-ups. There should not be a 2-class Internet where speed can be bought for money.

**\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\***

zero-ratings seem like a benefit for the end-user, but at its core it will stifle competition, making the service providers a gatekeeper for success for other online players. This should be avoided at all costs.

**\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\***

Monitoring the Content of the Traffic will be a gross violation of the privacy of the user and should under no circumstance be allowed.

**\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\***

The ISP should not be allowed to interfere with my internet connection. There should provide a connection at the contracted speed and with the contracted Volume (if any).

Also in my opinion the term "Flatrate" should be protected and allowed only to be used for a unlimited contract without Volume restrictions and throttling. The current praxis of selling a "Flatrate" that will be crawling down to snail speed after a certain volume needs to be stopped. There should be a legal limit of throttling, if such conditions are part of the contract, for example, that at least half of the contracted Speed has to be available.

End-User also need to be protected form one sided Contract-changes that introduce throttling and other unfavorable conditions in long term contracts.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

Transparency should be important. As I said above, in my opinion the Term "Flatrate" should only be allowed to be used for a unlimited connection without throttling and other restrictions (like excluding certain services like VoIP, P2P etc).

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Roman Reiß

Name: Jared/FFTF

Email: [deoxys17@yahoo.com](mailto:deoxys17@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jared/FFTF

Name: Christian Martini  
Email: [christianmartini@kabelmail.de](mailto:christianmartini@kabelmail.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich lese, sehe und höre Inhalte aus Grundversorgungs-Quellen: Internet Archiv, Wikipedia, Wikimedia, Deutschlandfunk, idealistische Blogger. Zero-rating gewerblich Orientierter beschädigt unsere Gesellschaft nicht nur weil es diese Dienste ins Stottern bringt und Infofreiheit mühsam macht. Schädlich ist auch der gleichgeschaltete Infolärm, der Infovielfalt verkümmern lässt.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
Spezialdienste, angeboten durch Oligopolisten, haben Offenheit und Innovation oft schon behindert: Per definitionem werden sie "notwendigerweise geschützt" - und damit auch gegen Wettbewerb.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Ja, der Bedarf ist da. Bitte nur 'on top', siehe oben.  
Telemedizin (hohe Bandbreite, QoS), IoT (Bedarf für Spezialdienst 'klitzekleine Pakete, hohe Latenz, kostenlos), OneWay (das TV der Zukunft mit CDS in den Netzknoten), Backup/P2P (Riesenbandbreite, aber gemessen pro Tag, kann in der Rushhour auch mal stundenlang einbrechen) usw! Man sieht: Der Spezialdienst ist das angebotene Dienstemerkmal des zusätzlichen (!) Anschlusses: QoS, kostenlos, CDS, Tagesdurchsatz. Das ist der Infrastruktur-Teil. Die inhaltlichen Programme bitte nur wettbewerblich.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Auf keinen Fall! Diensteeinteilung führt zu Inhaltsüberwachung, zur Diskriminierung ökonomisch nicht optimierbarer Inhalte: Verschlüsselung wird diskriminiert "weil sie ja vorsätzlich unkomprimierbar gemacht wurde!". TOR wird diskriminiert "weil der Kunde durch Pingpong-Traffic vorsätzlich das Internet verstopft"

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Nur falls dies einzelvertraglich mit mir vereinbart wurde UND ich ein gewerblicher Kunde bin UND parallel ein separater Vertrag für einen normalen Anschluss besteht: Ist wie Grundversicherung für Alle ohne Versicherungsfremdes. Obendrauf gerne.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Verpflichtung zur Veröffentlichung all dieser KPIs zusammen mit Anbieter und Geodaten

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass

Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Christian Martini

Name: Hans-Henrik Jensen

Email: [mail@hhjensen.eu](mailto:mail@hhjensen.eu)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Stuff like free facebook usage on data cap is in my subscription right now. This makes facebook more attractive than for instance twitter.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Seems to me that it can make sense to prioritize latency sensitive traffic like voice and video streaming. Just shouldn't be something that companies should pay for..

Is there a demand for specialised services? Which services should be allowed this special treatment? Definitely seems to be some traffic that is more latency sensitive than other traffic so it would make sense to have some prioritization.. But it should be done on that basis and not on payment basis.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Hans-Henrik Jensen

Name: Lukas Watzl  
Email: [lukas.watzl@hotmail.com](mailto:lukas.watzl@hotmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
The only services which should be prioritized are ones offered by the government like e.g. the police

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No what I do is my business

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They shouldn't interfere. If I want a prioritized Service I can tell my router to do it myself

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I would like to get all information about how my data is handled and why it's too slow sometimes

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lukas Watzl

Name: thomas mcreedy  
Email: [tommccreedy@gmail.com](mailto:tommccreedy@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
thomas mcreedy

Name: Konstantin Hartl  
Email: [konstantin.hartl@yahoo.de](mailto:konstantin.hartl@yahoo.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Verbraucher werden zu den zahlenden Unternehmen getrieben, da bei den anderen ja Datenvolumen anfällt. Zum Beispiel haben es alternative Musikstreamingdienste schwerer wenn Traffic von Spotify nicht gezählt wird. Die Nutzung bei Spotify geht dann "auf's Haus" und bei allen anderen Anbietern wird die Nutzung vom Internetvolumen abgezogen. Viele Kunden werden sich deswegen dann für Spotify und gegen die (möglicherweise) besseren Alternativen entscheiden, was den Konkurrenzkampf dämpft.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Ich sehe keinen Bedarf an Spezialdiensten. Jede Veränderung des Weges eines Paketes aufgrund dessen Inhaltes verletzt die Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? NEIN! Ein Paket ist ein Paket. Der Inhalt darf nicht den Übertragungsweg beeinflussen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? GAR NICHT! Was welche Priorität bekommt, ist immer noch meine Entscheidung. Der Internet-Provider ist nur für die Übertragung zuständig.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)? Schön wären nicht nur die meist falschen "bis zu" Angaben, sondern auch z.B. durchschnittliche Geschwindigkeit oder Ping.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Mit freundlichen Grüßen,  
Konstantin Hartl

Name: Tyler Newton  
Email: [tyenewton@gmail.com](mailto:tyenewton@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating allows special deals between giant companies to eliminate competition, leading to poorer choices and services, and stunting innovation, ultimately affecting everyone negatively. This shouldn't be allowed at all. In worst case, it could also lead to favoring sources of information that an ISP prefers, which has huge political/corruption potentialities.

Is there a demand for specialised services? Which services should be allowed this special treatment? I can't think of any.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None, it should be even.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Any and all would be helpful.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Tyler Newton

Name: Berber Bosch  
Email: [berberbosch@gmail.com](mailto:berberbosch@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Consumers rights need to be guaranteed for a free and equal internet, without zero-rating to influence consumer behaviour. End-user/consumer should keep autonomy.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If specialised services are allowed, it would move innovation towards inequality instead of equality - not desired. Open internet will become more closed because the foundation is not equal anymore.

Is there a demand for specialised services? Which services should be allowed this special treatment? None pop to mind.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No monitoring of content!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all - none of their business.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive more information on my connection, especially as for me, and often also others, it doesn't seem to be what is promised! Speed and connectivity range is way lower.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Berber Bosch

Name: Rodger Reed  
Email: [reedrodger@contactoffice.net](mailto:reedrodger@contactoffice.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I want to be able to use the internet unfettered. I do not believe there is any place for interference in my ability to use the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

These kinds of practices provide an unfair advantage for some users over others. This is fundamentally unfair. The internet should be free from practices that provide unfair and frankly unnecessary advantages for certain classes of individuals and corporations.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to be able to monitor my upload and download speed at all times and know that my service is not being throttled or otherwise compromised. My traffic should never be "managed" or otherwise interfered with.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Rodger Reed

Name: Jo-Ann M Kamichitis  
Email: [joann.kami@gmail.com](mailto:joann.kami@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,

Jo-Ann M Kamichitis

Name: Philipp Ott  
Email: [ph.ott@outlook.com](mailto:ph.ott@outlook.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen

würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Philipp Ott

Name: John Deamer/American Democratic Party

Email: [Johndeamer@gmail.com](mailto:Johndeamer@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, the ISP should not be allowed to monitor my traffic.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

John Deamer/American Democratic Party

Name: Julian Leutgeb  
Email: [julianleutgeb@posteo.at](mailto:julianleutgeb@posteo.at)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

As little as possible.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Julian Leutgeb

Name: Udo, man of house Hayn; the OMM

Email: [jonnylong@t-online.de](mailto:jonnylong@t-online.de)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

free and full internet stream should be allowed worldwide at a low and it's own costs.. we will build up a better world for all of GODs ppl, there is no place left for Satan and Mammon and all of their evil followers! With my father JHWHs help! Amen!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

see last picture, I've written, it's the same ground

Is there a demand for specialised services? Which services should be allowed this special treatment?

I think, clinics and doctors should be able to work together worldwide, to help the ppl, wich need help, but just for helping ppl and learning, NOT for making profit out of it!!! Amen!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

of course not, I pay for a unlimitet volume for every month

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

never should be allowed, to stream down the flow, just for making money and profit! it is worse enough!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

it is enough how it is now, a better rate is wishfull... the idea and practice, like in some parts of Canada is the best for my knowing.. free internet and phone through the energy- cables to every house and beeing..

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Udo, man of house Hayn; the OMM

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Franz Indra

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A disagreeing citizen

Name: Russell Skinner  
Email: [rskinner1100@new.rr.com](mailto:rskinner1100@new.rr.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

NO

Is there a demand for specialised services? Which services should be allowed this special treatment?

NO

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of those

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Russell Skinner

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Andrea Bracht

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Terri David  
Email: [terri\\_david@bellsouth.net](mailto:terri_david@bellsouth.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Terri David

Name: FFTF  
Email: [gailcats@att.net](mailto:gailcats@att.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
FFTF

Name: David Harralson  
Email: [davidharralson@hotmail.com](mailto:davidharralson@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
speed, average, maximum, minimum, lost packets, time at not maximum speed.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
David Harralson

Name: Andrew Johnson

Email: [aj30@nyu.edu](mailto:aj30@nyu.edu)

Confidential: No

-----

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial practices such as zero-rating could interfere with the even functioning of the net, disincentivizing ISPs from fairly supporting independent web traffic and disadvantaging new companies and individuals who seek to share content or services. No commercial practices should be permitted that may interfere with the overall functioning of the net for commercial gain.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services may have the potential to offer new and useful services to internet users, but they must be treated with care to make sure that they do not encroach on traffic or bandwidth needed by standard internet services and users. They should only be permitted when it's clear that they will not interfere with the availability, speed, or quality of standard web use. Allowing specialized services when not absolutely necessary may result in unfair competitive environments in the commercial sphere, while potentially having a negative impact on similar services or overall web traffic. Reclassifying existing or new but web-friendly services as "specialized services" would be unfair and would give preexisting wealthy companies an advantage over competitors who could not afford to pay for such a fast lane.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Specialized services should only be allowed when they meet the two conditions of not being able to function correctly over a standard internet connection, and not interfering (e.g. by taking extra bandwidth) with the availability, speed, or quality of standard internet connections.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I do not believe that ISP should be able to monitor people's web traffic, including its content, as this would be a violation of the privacy of users, be they individuals or corporate or other group users. Exceptions can be made in the case of a legal warrant, but web traffic management and similar concerns are not a good reason to intrude on people's privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I oppose allowing ISPs to interfere with web users' connections, e.g. by throttling or prioritizing different types of traffic. This would discriminate against certain users, retard certain startup companies, and encourage downgrading of certain traffic. The internet is a complex and evolving system with different types of traffic - e.g. video and peer-to-peer, etc. This traffic is increasingly and unpredictably important to the political, commercial, social and artistic spheres. Net neutrality must be maintained to assure an even playing field and allow important new developments and trends in communication.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should provide clear, accurate, understandable, and current information on the nature and state of internet connections, including minimum, maximum, and average upload and download speeds. This important transparency would allow users to make informed decisions on how and when to use various services.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Andrew Johnson

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

J Warner

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Jon Warner

Name: Glenn Welsh  
Email: [GDW165@AOL.com](mailto:GDW165@AOL.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No Inteference

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Glenn Welsh

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:  
Sebastian Schmitt

Is there a demand for specialized services? Which services should be allowed this special treatment? I am not sure, what a specialized service could be. But I know for sure, that the commonly cited examples like remote medical surgery or autonomously driving cars which need to communicate to some infrastructure are just pure nonsense in this context. No sensible person, company or institution would want such services connected through the "normal" internet!

Commercial practices, especially zero-rating, will lead to ISPs that will misuse their power and the access to their customers to pressure content and service providers to meet their demands (if they want to have access to their customers).

No packet inspection should be allowed by the ISPs.

All traffic should be equal.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Sebastian Schmitt

Name: Ingo Sauer  
Email: [ingo.sauer@gmx.net](mailto:ingo.sauer@gmx.net)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich als Verbraucher kann durch Zero-Rating benachteiligt werden in dem große kommerzielle Dienste sich eine Schnelle Verbindung zum Endverbraucher einkaufen. Dadurch werden kleinere, neutrale Dienste (und StartUps) benachteiligt. Als Endkunde kann ich dadurch z.B. nicht mehr frei wählen welchen Video-Streaming Dienst ich bevorzuge, weil ggf. nur ein Dienst durch meinen Provider eine bevorzugte Bandbreitenverbindung bekommt.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Ich sehe bei der Offenheit des Internets eigtl. nur Nachteile weil sich nur bestehende Großunternehmen solche Spezialdienste leisten können, nicht aber neu gegründete Unternehmen. Das fördert meines Erachtens nach die Bildung von Oligopolen weil neue Marktteilnehmer durch höhere Einstiegshürden einen Wettbewerbsnachteil haben.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Keine. Dienste die diese Sonderstellung benötigen (Medizin, Verkehr) sind in der Regel bereits speziell per Intranet und eigener Bandbreite ausreichend vernetzt.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
so wenig wie möglich. Am liebsten gar nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit und Traffic-Management

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese

treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Ingo Sauer

Name: Richard Smith  
Email: [richard.smith49@yahoo.com](mailto:richard.smith49@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
zero rating is a bad idea.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
specialized services is just another name for priveleged users. not a good idea.

Is there a demand for specialised services? Which services should be allowed this special treatment? although there is a demand, specialized services wipes out the democratic premise of an open internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of the above.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Richard Smith

Name: Mary Whitehead  
Email: [thewhiteheads@tyler.net](mailto:thewhiteheads@tyler.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No demand. No services should be allowed this special treatment

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Mary Whitehead

Name: Shane Deal  
Email: [sjd2000@rochester.rr.com](mailto:sjd2000@rochester.rr.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREK net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive, better working specialised services but the negatives of stifling of minority voices and open internet outweighs that by far.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Not enough to justify the profound negatives

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Equal treatment

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Shane Deal

Name: Wilma Bradbeer  
Email: [wilmabee2@gmail.com](mailto:wilmabee2@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It should not have this ability.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Wilma Bradbeer

Name: Margit Otterbach  
Email: [margit.otterbach@chello.at](mailto:margit.otterbach@chello.at)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Margit Otterbach

Name: University of Rochester  
Email: [jeremywrnr@gmail.com](mailto:jeremywrnr@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No - you should simply offer more flexible internet service plans.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Aggregation of content into copyright networks, less freedom of information.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
University of Rochester

Name: Jorge  
Email:  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I believe there is a demand for commercial practices such as zero rating due to the introduction of unfair data caps making it more appealing to use services that don't count towards such caps as this allows the user to better handle their monthly allotment. However, this clearly favors companies that are able to pay for such a privilege and ultimately increases the market barrier to entry which lowers competition. It also has an effect on someones ability to use the internet freely. We should only be paying for bandwidth, not data as that is simply another form of double billing someone for the same service.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Some positive impacts of specialized services could include a dedicated emergency request handling system and a well integrated ecosystem of apps that work well together. However, the negative impacts of reduced competition, degradation of services due to the stagnative effects of monopolies, and the penalty imposed on end users for not using these "free" services currently outweighs such benefits.

Is there a demand for specialised services? Which services should be allowed this special treatment? The only specialized service that could be considered is emergency services over IP. No other service should be allowed special treatment.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

The ISP should provide a page that is easily accessible, clearly labeled, and provides clear, accurate, and concise information on what plan a customer is using, what speeds that plan offers, including the maximum and average speeds of the service. There should also be additional information available on how different services may be affected through the use of the service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Our right to privacy must be preserved.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I do not believe that ISPs should be able to interfere with my Internet connection through prioritization of online traffic. Throttling is only permissible in order to ensure a stable connection for the users during periods of high use as a function of available bandwidth (for example, total use of all users over dedicated lanes is greater than 99%). However, there should be safeguards to prevent ISPs from failing to upgrade their systems in order to keep charging more people while throttling continues to be used.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jorge

Name: Kathleen Myers  
Email: [kmyers1513@gmail.com](mailto:kmyers1513@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Kathleen Myers

Name: Tim Tamiya  
Email: [scalereality@btinternet.com](mailto:scalereality@btinternet.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Tim Tamiya

Name: Maggie Kearns  
Email: [labcanary@gmail.com](mailto:labcanary@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It does limit my rights as an end-user.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Maggie Kearns

Name: Scott P. Raboy  
Email: [Sraboy2@gmail.com](mailto:Sraboy2@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

By prioritizing certain services, websites, and functions over smaller and less powerful competitors (through the zero-rating practice) a clear divide is created between the haves and the have nots. Paid content services are not comparable to these practices, for they do not create this divide. By making favored content not count towards one's data total, these lesser known websites get even less traffic. This gives ISP's a stranglehold over the entire Internet, and that is something that should not be allowed. These practices definitely limit my rights; I will not stand for them.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

"Specialized Services" reeks of discrimination. Just imagine: content priority given to services that the ISP supports and kilobytes given to the rest of 'em. They will only restrict the future innovation and openness of the Internet, and they should not be implemented.

Is there a demand for specialised services? Which services should be allowed this special treatment? There is not a demand, and no one should be allowed this specialized treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. That is a total violation of the implied right to privacy in the constitution. My traffic should be for my eyes and its destination only. There is no need for a middle man to direct traffic to the places they want it to go.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP should be able to prioritize based on the size of the packets, but not on the type of traffic or level of encryption.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want clear information. I want the minimum, maximum, and average speed listed for each connection IN BYTES. They also should give us information on how different types of applications will be affected by the speed of our connection. Also, ISPs should notify consumers on the effective range of prospective routers in order to maximize coverage throughout a household.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Scott P. Raboy

Name: Mr K J Brown  
Email: [kjbtazz@gmail.com](mailto:kjbtazz@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Mr K J Brown

Name: Jamie Mulholland  
Email: [silk186@gmail.com](mailto:silk186@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't see one. Service providers are offering higher tier fibre connections with satisfy the needs for premium service. I pay extra for such a service myself.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

specialized services would increase consumer costs without tangible benefits.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes, many student especially international students and expats rely on streaming services to receive content in their own languages. British students use these services to learn other languages. Streaming services are replacing traditional services and need to be protected.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I pay for a service and I should be able to use the service to consume the content and use the services I wish without discrimination. Many paid services are under threat by this bill.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

average speed received

up-time

full costs of service in a single figure

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, this is an invasion of privacy and will result in anything good.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jamie Mulholland

Name: Günther Kahle  
Email: [guentherkahle@alice-dsl.net](mailto:guentherkahle@alice-dsl.net)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein!!!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider

einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Günther Kahle

Name: Tobias Mädler

Email: [savetheinternet@tbospace.de](mailto:savetheinternet@tbospace.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Nein. Eine Klassifizierung nach Typ (z.B. für VoIP) wäre akzeptabel, sodass diese mittels QoS bevorzugt werden. Dies muss dann allerdings nicht abhängig vom Provider oder ASN erfolgen, sondern nur aufgrund des Datentypes (z.B. RTP-Traffic)

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Durch z.B. das negative Peering-Verhalten der deutschen Telekom wird ein belebter Markt verhindert und gerade kleine Provider und Anbieter haben echte Probleme bei der Bereitstellung von Dienstleistungen wie VoIP.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Portblockaden,

Trafficlimits

QoS-Priorisierung

Filterung

IPv6-Konfiguration

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein! Modifikationen sind ebenfalls absolut nicht-tolerabel!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Bestimmte Konfigurationen wie z.B. das Blockieren von Port 25 als Standard sind OK, allerdings muss es immer eine Möglichkeit zum Opt-Out geben.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das

Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Tobias Mädler

Name: Theodore Reynolds

Email: [tedrey@umich.edu](mailto:tedrey@umich.edu)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I do not trust the providers in the USA for this. Each population must decide for itself.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I'd say very little.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behavior in itself.

Transparency has limited scope in fixing problems, particularly in this context. And transparency without accountability is relatively useless.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Thank you for considering these matters carefully.

Kind regards,  
Theodore Reynolds

Name: Sebastian Hempel  
Email: [sebastian@hempel-roeslau.de](mailto:sebastian@hempel-roeslau.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Ein Breitbandmanagement für bestimmte Dienste (z.B. Voice Over IP) ist in Ordnung. Aber nur dann, wenn dieses für alle Anbieter von derartigen Diensten gilt. Ich muss die Möglichkeit haben jederzeit in das Management einzugreifen und für einzelnen Dienst aktivieren bzw. deaktivieren können.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Bandbreite, eingesetztes Bandbreitenmanagement,

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von

Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Sebastian Hempel

Name: Daniel K.  
Email:  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Keine Dienste sollten Sonderstellungen bekommen.

Zum Beispiel bei dem oft erwähnten Fall des Krankenwagens, der schnell mit dem Krankenhaus Daten übermitteln muss, würde es eventuell als Spezialdienst Millisekunden schneller gehen, was keine relevanten Vorteile bringt.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Internet-Provider sollen nicht das Recht haben, in Pakete zu schauen, um diese "besser" managen zu können. Sondern sie sollten alle Pakete einfach zu stellen, unabhängig vom jeweiligen Inhalt.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw.)?  
Mein Internet-Provider sollte nicht abhängig von Inhalten oder Protokollen drosseln. Und auch gar nicht erst Informationen sammeln, anhand derer er drosseln könnte.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Quality-of-Service und nicht Traffic-Management (da es kein Traffic Management geben sollte)

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu allen Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystems.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbare Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen,

es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Daniel K.

Name: Lukas Hergarten  
Email: [physioartist@hotmail.de](mailto:physioartist@hotmail.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Ich möchte keine Beeinflussung durch den Provider.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte.

Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Lukas Hergarten

Name: Ron Baginski  
Email: [otforever@sbcglobal.net](mailto:otforever@sbcglobal.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Ron Baginski

Name: Gabi Diers-Legantke  
Email: [gabilegantke@gmx.de](mailto:gabilegantke@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. der sogenannte freie wettbewerb wird erheblich eingeschränkt.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
einseitige informationen, beeinflussung

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
nein

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
verständliche ausführliche informationen über geschwindigkeit und wer ein eingriffsrecht auf meine daten hat

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den

Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Gabi Diers-Legantke

Name: Tim van Kan  
Email: [timvankan@live.nl](mailto:timvankan@live.nl)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Tim van Kan

Name: John Jewell

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
John Jewell

Name: Pat Clark/Internet user  
Email: [1fingerstudios@gmail.com](mailto:1fingerstudios@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I'm not that up to speed on this.

Is there a demand for specialised services? Which services should be allowed this special treatment? I'm not sure and am not up to speed on this.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Again, I'm not up to speed on this.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Everything that is pertinent to the best service that is available.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Unless there is something at play that I don't know about, ISP should NOT interfere with my internet connection.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP shouldn't be allowed to monitor my traffic. I'm sure it's being done now, but that doesn't make it right.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Pat Clark/Internet user

Name: Stephen Attrill  
Email: [stephen\\_attrill@hotmail.com](mailto:stephen_attrill@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
no

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
It should be totally open and uncensored

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I do not believe so

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Just that is open and uninterfered with

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
NOT AT ALL

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Stephen Attrill

Name: Frederick W Ritter  
Email: [fff2020@gmail.com](mailto:fff2020@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Frederick W Ritter

Name: Andrew Morgan  
Email: [myrddin@live.co.uk](mailto:myrddin@live.co.uk)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Domestic traffic should be unlimited by commercial needs.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services without consumer protections would be detrimental to the future of the internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only if abusive amounts of traffic are going over domestic lines.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I can monitor my own connection.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Andrew Morgan

Name: Jürgen Reichert  
Email: [juergen.reichert@vysyon.de](mailto:juergen.reichert@vysyon.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein, es gibt keinen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating. Zero-Rating verzerrt die Konsumententscheidungen aller Bürger online. Subventioniert der Staat gewisse Branchen, so muss dies neutral geschehen. Betrachten wir dies am Beispiel der Automobilbranche. Soll der Automobilmarkt angekurbelt werden, so wäre es unfair würden lediglich Autos von bestimmten Herstellern wie z.B. BMW subventioniert werden. Mehr Menschen würden beim Kauf eines Autos zu einem BMW als zu einem VW neigen, denn dies ist für sie wirtschaftlich effektiver. Das würde jedoch manche Hersteller benachteiligen.

Durch Zero-Rating würde genau das gleiche geschehen: eine Verzerrung der Kaufentscheidungen. Würde der Traffic von Spotify nicht mehr das Kontingent von 500MB monatlich ankratzen, so würden mehr Menschen zu Spotify wechseln, obwohl ein fast identisches Angebot auch bei Konkurrenten für den gleichen Preis zu haben ist. Musikstreaminganbieter wie Deezer oder Rdio könnten es sich eventuell noch leisten auch Sonderkonditionen mit ISPs auszuhandeln, um mit Spotify wieder auf einer Höhe konkurrieren zu können. Doch kleine junge aufstrebende Unternehmen hätten keine Chance sich solch teure "Vorteilspackungen" und Sonderstellungen am Markt zu erkaufen.

Dies trifft nicht nur auf die Musikstreamingindustrie zu, sondern ist auch gleichermaßen auf alle anderen Bereiche des Internets übertragbar:

Videospielanbieter wie Valve haben verglichen mit kleinen Unternehmen deutlich höhere Chancen auf Deals mit ISPs, damit ihr Downloadtraffic bevorzugt behandelt wird.

Videostreaminganbieter wie Amazon, Netflix, Youtube oder Facebook verglichen mit z.B. Watchever. etc.

Wie sollen auf einem solchen Markt noch neue innovationsgeladenen motivierte Unternehmer Fuß fassen, ohne sich gleich in Abhängigkeit von Investoren oder ISPs zu geben? Laut dem Vorstandsvorsitzendem der Deutschen Telekom AG, Timotheus Höttges, benötigen gerade kleine junge Unternehmen seine "Spezialdienste" um mit großen Wettbewerbern mithalten zu können.

Quelle: <https://www.telekom.com/medien/managementzursache/291708>

Doch meiner Meinung nach ist genau das Gegenteil der Fall: Heutzutage ist es möglich für ein paar Euro im Monat Server bei Anbietern wie Hetzner zu mieten. Können große etablierte Unternehmen nun noch Sonderstellungen durch Zero-Rating-Verträge kaufen, so haben diese kleinen Unternehmen neben den Serverkosten das Problem auch im Zero-Rating-Kampf mitzuspielen zu müssen, um überhaupt eine Chance mit ihren Produkten auf dem Markt zu bekommen. Timotheus Höttges ist der Meinung es sei für diese StartUps sehr leicht möglich auch in dieses Geschäft einzusteigen: "im Rahmen einer Umsatzbeteiligung von ein paar Prozent". Hier wird von Umsatzbeteiligung gesprochen, NICHT von Gewinnbeteiligung. Ein paar Prozent Umsatz, bedeuten 2% aufwärts. Bei knapp kalkulierten Angeboten, dies ist heute auf einem globalen Markt nötig - möglich gemacht durch das Internet - Haben kleine Unternehmen (erst recht) nur sehr wenig Prozent Gewinn vom Umsatz, damit sie überhaupt erst in den Markt einsteigen können. D.h. ISPs wie die Telekom wollen sich an diesen kleinen Unternehmen bereichern, indem sie ihnen große Teile bis alles ihres Gewinnes abnehmen. Kommen diese Unternehmen später groß raus, weil sich ihre Produkte als konkurrenzfähig mit denen anderer namhafter Hersteller gezeigt haben, so steigen auch die Gewinne. Jedoch werden die Zero-Rating-Verträge, die zuvor mit ISPs abgeschlossen

werden mussten, um überhaupt erst einmal auf die gleiche "netztechnische" Stufe mit Giganten zu kommen, nicht nur für die Anfänge kleiner Unternehmen gelten. Timotheus Höttges erhofft sich meines Erachtens hierbei sehr große Einnahmen - von allen Beteiligten. Internetdiensteanbieter schaukeln sich so nach oben und ISPs versuchen alle beteiligten zur Kasse zu bitten, um überhaupt erst die Möglichkeit, mit der Konkurrenz mithalten zu können, zu bekommen.

Würde ein StartUp jedoch mit seinen Produkten scheitern, so verschulden sich junge Unternehmer umso mehr. Denn springen gerade einmal 2% Gewinn vom Umsatz ab, jedoch will die Telekom alleine bereits 3% Umsatz, lediglich für eine "nicht absichtlich verengte Leitung + Zero-Rating-Verträge". So müssen sich diese Unternehmer verschulden um überhaupt erst einmal auf den Markt kommen zu können. In dieser Verschuldung von 1% des Umsatzes sind aber noch gar nicht die Kosten für Server (z.B. bei Hetzner - ja, große Unternehmen besitzen das Kapital eigene Serverparks zu bauen, jedoch trägt die Telekom hier rein gar nichts dazu bei hier kleine Unternehmen zu unterstützen) oder die Zero-Rating-Verträge mit anderen ISPs eingerechnet. Wenn jeder ISP "ein paar Prozent" Umsatzbeteiligung will, wo soll das hinführen? Mit einer Unternehmensgründung gehen Risiken einher, das ist ganz normal. Kommen die angebotenen Produkte/Dienstleistungen an, oder nicht? Doch spezial-Dienste von ISPs erhöhen diese Risiken ungemein und erhöhen sogar die Gefahr des Scheiterns. Dies hindert Innovation und den Fortschritt, denn Menschen mit Ideen überlegen es sich nun noch zehnmal, ob sie wirklich ein solch erhöhtes Risiko bei der Gründung eines Unternehmens eingehen wollen, denn scheitert ihr Vorhaben, so sind sie Hals über Kopf verschuldet. Die Vorstellung junge Unternehmen können sich Spezialdienste inklusive Zero-Rating leisten ist in meinen Augen falsch! "Kommerzielle Praktiken" wie z.B. Zero-Rating führen zu einer Kaufentscheidungsverzerrung der Bürger und zu einer hohen Verschuldung junger Unternehmen.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Es gibt keinen Bedarf an Spezialdiensten der ISPs. Keinem Dienst sollte solch eine Sonderstellung verliehen werden dürfen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, Internet-Provider sollen meinen Datenverkehr unter keinen Umständen überwachen dürfen, erst recht nicht durch Deep-Packet-Inspection. Traffic, egal welcher Art, egal welcher Quelle, egal welchen Zieles, muss und soll gleichbehandelt werden. Die Überwachung von Traffic ist der Beginn eines Zwei-Klassen-Internets. Können ISPs durch Deep-Packet-Inspection genauere Informationen über den Datenverkehr erfassen, so wirft dies einerseits datenschutzbedenkliche Fragen auf (wer nutzt welche Dienste - diese Informationen können verkauft und schnell gegen Nutzer verwendet werden) und ist andererseits die Grundlage verschiedene Onlinedienste wie etwa VoIP-, P2P-, Videostreaming-, Audiostreaming-, Videospieltraffic etc. zu gruppieren und dafür extra Geld zu verlangen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Mein Internet-Provider sollte meinen Internet-Anschluss überhaupt nicht beeinflussen können oder dürfen. Es sollte allen ISPs verboten werden manche Datenübertragungen zu drosseln oder gar zu bevorzugen.

Denn dürften sie dies, so würden sie das Netz, d.h. die Kabel im Boden, nicht weiter ausbauen, um absichtlich Engpässe hervorzurufen. Denn dort wo Engpässe vorliegen, dort können die extra „Bevorzugen“ verkaufen. Dies bedeutet mehr Einnahmen. D.h. wäre es ISPs gestattet bestimmte Dienste absichtlich zu drosseln und manch andere zu bevorzugen, so führt dies automatisch zu einem Stagnieren des Netzausbaus. Es liegt gar nicht im Interesse der ISPs die Verfügbarkeit und die Geschwindigkeit des Internets zu verbessern, wenn es auch anderes möglich ist mehr Geld einzunehmen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Es müssen strengere Regeln im Bezug auf Geschwindigkeiten gelten. ISPs werben mit "bis zu" Klauseln. Doch wie viele Verbraucher wissen das? In Werbeanzeigen wird groß von 100Mbit/s geschwärmt, doch im Kleingedruckten steht "bis zu" 100Mbit/s. Ankommen tun letztendlich nur 60Mbit/s. Bis den Kunden dies klar wird, so sind sie bereits mehrere Jahre an einen Vertrag gebunden. Häufig wissen oder merken Kunden dies gar nicht, denn dafür fehlt ihnen das nötige Wissen. Was würden denn Provider davon halten, wenn wir lediglich "bis zu" 100% der monatlichen Vertragskosten zahlen würden? Verbraucher sollten lediglich dazu verpflichtet werden, den Betrag der tatsächlich ankommenden Geschwindigkeit (dies betrifft Up- wie auch Downstream), zahlen zu müssen. Das bedeutet, wenn mit bis zu 100Mbit/s geworben wird, aber lediglich 50Mbit/s ankommen, so sollte man auch lediglich 50% des Preises zahlen müssen. Denn nur so können Konsumenten aus der Werbefalle ungeschadet heraustreten. Internet-Provider sollten zudem verpflichtet werden Maximal-, Durchschnitts- und Minimalgeschwindigkeit in gleicher Form anzugeben. Wird mit einem 1 Meter Schriftzug von einer Maximalgeschwindigkeit geworben, so muss auch die Minimal- und die Durchschnittsgeschwindigkeit genauso gezeigt werden, nicht nur im kleingedruckten. Denn heutzutage ist es für uns Verbraucher gar nicht mehr möglich all die AGBs und Datenschutzrichtlinien und allen Diensten die wir nutzen durchzulesen. Lauf des Films TermsAndConditionsMayApply würde dies jeden Menschen durchschnittlich 1 Monat im Jahr kosten, lediglich zum durchlesen dieser Texte. Dies klingt zuerst etwas viel, doch überlegen Sie sich doch mal was Sie alles nutzen: Amazon, Google-Suche, Googel-Kalender, Googel-Docs, YouTube, jede App ihres Smartphones hat AGBs und Datenschutzrichtlinien, Windows, IOS, Android, Google-Playstore, Zalando, Ihr Emailprovider, fast jede Internetseite, die Sie besuchen, etc. Selbst wenn jemand die Zeit findet all diese Texte durchzulesen, so besteht noch ein weiteres Problem: das Verstehen. Denn all diese Schriften sind in einer Juristensprache verfasst, die absichtlich unverständlich und mehrdeutig formuliert. Zudem werden AGBs und Datenschutzbestimmungen absichtlich in GROßBUCHSTABEN GESCHRIEBEN, DAMIT SIE SCHWERER ZU LESEN SIND.

Zudem will ich wissen, welche Spezialdienste mein ISP anbietet und mit welchen Unternehmen er bereits solche für welchen Preis abgeschlossen hat. Der Schwerpunkt liegt hier darauf, was Unternehmen dem ISP tatsächlich gezahlt haben. Wie viel Prozent des letztjährigen Gewinnes hat welcher ISP in den Netzausbau gesteckt. Wie viel Euro waren das? Wo? Welche Technologien? Es muss mehr Transparent gefordert werden und es muss eindeutig geregelt sein, wo und wie ISPs welche Informationen darlegen müssen, denn ansonsten ist es schlichtweg einfach unmöglich ISPs aufgrund ihrer Leistungen zu vergleichen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best

Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Jürgen Reichert

Name: William Korbel  
Email: [williamkorbel@gmail.com](mailto:williamkorbel@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
no, any limiting of my rights is unacceptable.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
cost more and get slower speed

Is there a demand for specialised services? Which services should be allowed this special treatment?  
not sure

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all the above

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
it should be hands off

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
William Korbelt

Name: Dan Brown

Email: [danbrown1000@hotmail.co.uk](mailto:danbrown1000@hotmail.co.uk)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No there is no demand from actual consumers. This is an issue that there is very little education about, because corporations want to buy the internet and strangle its fluid and free nature.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There are no positives from an individual perspective. Commercial interests perhaps but these interests are at the detriment of free speech, free art and free choice for consumers. Why should the economic power of conglomerates allow them to crush our access to the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

A comprehensive report every two months about all the relevant factors in a way that is easy to understand and accessible for consumers so they can assess how legitimately their ISP is acting.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Dan Brown

Name: Stephanie Steinschaden

Email: [sng.steup@gmail.com](mailto:sng.steup@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Stephanie Steinschaden

Name: Rick Gonyo  
Email: [rick.gonyo@gmail.com](mailto:rick.gonyo@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
All should be free and open.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Innovation and openness will suffer.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Not needed, they limit me.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
NONE

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All the above.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Rick Gonyo

Name: Holger Leonhard  
Email: [future2005@gmx.net](mailto:future2005@gmx.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Holger Leonhard

Name: Geir Kjelland  
Email: [geirkel@gmail.com](mailto:geirkel@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I think they could.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Geir Kjelland

Name: Steve Högner  
Email: [steve228@web.de](mailto:steve228@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Nur die großen Medienkonzerne können schnell ihre Nachrichten verbreiten. Das führt zu einer schlechteren Qualität der Nachrichten.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Die schnellen Datenverbindung werden an den höchstbietenden versteigert und damit unnötig teurer.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Für bestimmte Personengruppen oder Unternehmen sicher ja, aber die restlichen Personengruppen und Unternehmen wären benachteiligt. Deshalb sollte keiner diese Sonderstellung bekommen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Garnicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Geschwindigkeit  
Auslastung des Netzes  
Quality-of-Service  
Traffic-Management

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das

Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Steve Högner

Name: Christoph Franzen  
Email: [christoph@alte-pflasterei.de](mailto:christoph@alte-pflasterei.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Important notice: Text answers are in GERMAN language.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Wenn bestimmte Dienste von Anbietern „eingepreist“ werden, während Daten aus anderen zusätzlich berechnet werden, führt dies dazu, daß die Wahlfreiheit eingeschränkt wird. Die „kostenlosen“ Dienste bezahlt man bereits mit der Grundgebühr, so daß selbst bessere Alternativen chancenlos bleiben, nur weil diese bereits im Ansatz benachteiligt werden.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Solange „Spezialdienste“ eigentlich gar nicht „speziell“ sind, wäre eine Unterscheidung schädlich. Beispiel: Video-Dienste sind bereits jetzt im „ungeordneten“ Internet funktionsfähig und werden genutzt. Allen solchen Diensten würde eine Priorisierung ihrer Datenströme zugute kommen, weil sie dann weniger von Unterbrechungen bei Bandbreiten-Engpässen betroffen wären. Schädlich wäre eine Vermarktung als „Spezieller Dienst“ dennoch, weil die Anbieter nur ihre eigenen Angebote, beziehungsweise solche, mit denen sie gemeinsame wirtschaftliche Interessen verfolgen, bevorzugen würden. Alle anderen Video-Dienste kämen hingegen aufs „Abstellgleis“ und würden um so schlechter transportiert.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Spezialdienste dürfen – wenn überhaupt – nur solche werden, die im offenen Internet nicht funktionieren würden. So kann man Notrufe absolut bevorzugen, auch wenn damit im Einzelfall andere Daten unterdrückt würden. Das Aufkommen solcher Nachrichten ist normalerweise niedrig und somit die Beeinträchtigung des restlichen Netzes durch eine solche Bevorzugung gering. Außerdem würde hier nicht willkürlich ein Dienst eines Anbieters gegenüber ähnlichen Diensten anderer Anbieter bevorzugt.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Nein, es bestehen da mehrere Gefahren: zum einen, daß technische Notwendigkeiten nur vorgeschoben werden (statt Netzausbau zu betreiben werden „unwichtige“ Daten ausgebremst – was „unwichtig“ ist, bestimmt der Anbieter selbst anhand wirtschaftlicher Überlegungen), zum anderen, daß eine ohnehin vorhandene Prüfungs-Technologie dann auch für ganz andere Zwecke eingesetzt werden kann, so zum Beispiel zum Ausfiltern „verwerflicher“ oder „verbotener“ Inhalte. Demokratischen Politikern erscheint letzteres für gewöhnlich unkritisch, die Gefahr besteht aber, daß autoritäre Parteien gewählt werden und dann bereits eine (halb.)fertige Zensur-Infrastruktur vorfinden oder daß die Unternehmen die Infrastruktur zum eigenen Nutzen zweckentfremden.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Dies sollte von vornherein ausgeschlossen werden. Die Argumente für solche Eingriffe klingen zunächst einleuchtend, beispielsweise Daten von Diensten zu bevorzugen, die eine kurze

Reaktionszeit erfordern oder keine „Pausen“ vertragen, können aber leicht dazu mißbraucht werden, vom Anbieter unerwünschte Datentypen zu unterdrücken oder zu benachteiligen, beispielsweise IP-Telefonie-Daten im Mobilfunknetz. Auch können nötige Maßnahmen zum Ausbau der Infrastruktur hinausgezögert werden, wenn man Daten abseits des „Massenmarktes“ ausbremst.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Heutzutage werden gerne Mischkalkulationen mit Maximal-Bandbreiten beworben; wer das Maximum ständig ausreizt, ist dann jedoch als Kunde nicht gern gesehen. Realistische Angaben sind besser als Pseudo-Pauschaltarife, in deren Kleingedrucktem steht, daß die Maximalbandbreite nur für die ersten paar Gigabytes im Monat gilt.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Christoph Franzen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation: Luka Vandervelden/IT student

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry.

These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules.

Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Peter Krauß

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules.

Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Dave Harnett  
Email: [daveharnett@gmail.com](mailto:daveharnett@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating has the potential to create a "walled garden" which would block not-obviously-profitable innovations from their potential consumers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Lack of access to exclusive specialized services could become a barrier to entry for new innovations.

Specialized services could provide an incubator for innovative technologies which could not naturally evolve or grow in the open internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Yes. In environments where resources are scarce ( e.g. areas with crowded radio spectrum ), low bandwidth services with high humanitarian value ( e.g. emergency communications/broadcasts, human to human text messages) may be prioritized .

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Industry and consumers could benefit from a clear and enforceable definition for the word "Unlimited".

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, except with a specific detailed warrant based on hard evidence.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not discriminate between classes of traffic, that should be the customer's prerogative.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Dave Harnett

Name:

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein, Zero-Rating verhindert die Vielfalt bei der persönlichen Auswahl an Diensten. Ferner ist es sowieso schwachsinnig Volumenbegrenzungen einzuführen, um damit eine angebliche Überlastung des Netzes entgegenzuwirken, denn am Anfang des Monats haben z.B. alle Anschlüsse wieder volle Bandbreite und beginnen dann auch mit dem Runterladen.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Die Selbstbestimmung eines jeden wird eingeschränkt.

Große Unternehmen werden gefördert und kleine zurückgedrängt.

Die Nutzung des Internets beschränkt sich nur noch auf wenige Website.

Wenige Dienste können noch besser einen Überblick über unsere Daten haben.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

zeitkritische Systeme wie VoIP;

lebenswichtige oder lebenserhaltende Systeme, die auf eine Internetverbindung angewiesen sind

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Bevorzugt sollte nur der Datenverkehr, bei dem das auch technisch nötig ist. z.B. VoIP oder SSH

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Erstmal alles. Möglichst noch die Peeringkapazitäten zu anderen Providern.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen

würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Mit freundlichen Grüßen  
Lukas Pingel

Name: michael lahey  
Email: [milahey22@yahoo.com](mailto:milahey22@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
michael lahey

Dear Sir or Madam,

Please take my comment regarding the BEREC net neutrality guidelines creation into consideration.

\*My name\*

Malte Fiala

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

There are no services that should receive special treatment.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Getting rid of net neutrality means favoring big companies with enough cash to "buy out" of any given restrictions.

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

With Drei and T-Mobile we already see global telecom operators implementing restrictions for companies whilst benefiting others.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritize certain types of online traffic (video, P2P, etc)?\*

My ISP should not be allowed to touch my traffic. P2P e.g. is a crucial protocol for most online games clients nowadays.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I want to get all information available to the ISP regarding my internet connection. Examples are as follows:

- uptime
- max bandwidth
- average bandwidth
- delay / ping
- Is my connection QoS managed?
- If so, what services are throttled?

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

With best regards,  
Malte Fiala

Name: Barry O'Kane  
Email: [barry@endzone.co.uk](mailto:barry@endzone.co.uk)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
as much as possible

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Barry O'Kane

Name: not  
Email: [eusebiopecurto@gmail.com](mailto:eusebiopecurto@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
save the Internet

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
not

Name: K. Arnone  
Email: [kahlilarnone@yahoo.com](mailto:kahlilarnone@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
K. Arnone

Name: Lukas Reitschuster  
Email: [ltreitschuster@web.de](mailto:ltreitschuster@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Zero-Rating beschränkt bereits meine Rechte als Endverbraucher, konkret meine Freiheit mir aus suchen zu dürfen, welche Dienste, beispielsweise Streamingdienste, ich verwenden will. Durch derartige Praxen ist meine Wahl nicht mehr, welchen streaming Dienst ich verwenden möchte, sondern viel mehr, ob mir ein nicht durch Zero-Rating unterstützter Dienst es mir Wert ist dafür weniger Datenvolumen zur Verfügung zu haben.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, da für Datenpakete selbes Recht wie für den Briefverkehr gelten muss.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Mein Provider sollte meinen Anschluss überhaupt nicht beeinflussen dürfen, um die Geschwindigkeit bestimmter Datenübertragungen zu ändern. Die Aufgabe des Providers ist mir einen Zugang zum Internet bereit zu stellen und nicht mein Surfverhalten durch drosseln oder bevorzugen bestimmter Übertragungen zu beeinflussen, bzw einzuschränken.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist

besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Lukas Reitschuster

Name: Rodolpho Mouta  
Email: [mouta.rodolpho@gmail.com](mailto:mouta.rodolpho@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No. None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It shouldn't at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All of the above.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Rodolpho Mouta

Name: Rich Hladky  
Email: [richhladky@gmail.com](mailto:richhladky@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Rich Hladky

Name: Jason Collins  
Email: [jaysyn@gmail.com](mailto:jaysyn@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Only demand for it is among ISPs & cell phone data.

Is there a demand for specialised services? Which services should be allowed this special treatment? High bandwidth activities like video, science & some online games.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not. Is the post office allowed to read your letters?

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Lightest QoS that is possible.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Anything useful to myself as a power-user.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jason Collins

Name: TSD - Software Development

Email: [hank@toddsantoro.com](mailto:hank@toddsantoro.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Ask ATT about throttling and limiting unlimited data. We will sue and win.

Is there a demand for specialised services? Which services should be allowed this special treatment? None!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

911, ecommerce, streaming, etc...

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

My average speed per month so I can see what I am paying for.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Hell no! What should happen is we should be guaranteed minimum speeds and not up-to speeds.

My ISP (Comcast) says I will receive speeds up to 75mb. The geeks will win in the end because there are more of us and we will bring their networks to a stand still.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

0%

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
TSD - Software Development

Name: Jonas Schenke  
Email: [01cder@googlemail.com](mailto:01cder@googlemail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Meiner Meinung nach gibt es keinen Bedarf an Spezialdiensten. Ich bezahle meinen Internet-Provider dafür, dass dieser mir das Aufrufen von verschiedensten Diensten in brauchbarer Qualität ermöglicht. Somit hat er sicherzustellen, dass die Infrastruktur dies auch ermöglicht. Bis zum heutigen Tag hat dies meinerseits auch gut funktioniert!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Das Anbieten von Spezialdiensten führt zur Monopolisierung des Online-Marktes. Die Spezialdienste können diese Macht einfach mißbrauchen und dem Endnutzer nur selektierte Informationen bereitstellen, welche möglicherweise einige Makel vertuschen. Insbesondere kleinere Internet-Zeitungen würden kaum noch gehört werden.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Falls Zero-Rating in Kraft treten sollte, könnten kleinere Startups möglicherweise sich dies nicht leisten. Durch die Abwesenheit einer solchen Methode wurde Innovation im medialen Bereich gefördert und Webseiten wie YouTube, Facebook oder Twitch ermöglicht.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Der Internet-Provider sollte lediglich meinen Haushalt mit einem Internetzugang versorgen und sicher stellen, dass die im Vertrag verhandelte Bandbreite zum Internet im allgemeinen gewährleistet wird. Ich möchte nicht, dass ich kleinere Dienste nur langsamer nutzen kann, für einige extra bezahlen muss oder sogar einige Dienste gar nicht nutzen kann. Falls ich eine bessere Verbindung zu einigen Diensten oder dem Internet im allgemeinen wünsche, sollte ich mich an den Internet-Provider wenden können um einfach eine bessere Verbindung als Endnutzer zu erwerben.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, da dadurch wieder einige Inhalte anderen gegenüber priorisiert werden können. Zusätzlich sehe ich die Gefahr darin, dass der Internet-Provider meine Daten ohne mein Einverständnis kommerziell nutzt und möglicherweise dann noch extra Werbung in die Pakete schleusen kann.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte auf jeden Fall über die maximal mögliche und auch vor allem über die minimal versprochene Bandbreite informiert werde. Dies soll offensichtlich aus dem Vertrag ersichtlich sein und auch bei Nachfragen direkt und offen kommuniziert werden. In diesem Zusammenhang wäre es dann sehr hilfreich, wenn der Internet-Provider dazu noch Beispiele angibt, die realitätsnah gehalten sind, so zum Beispiel welche Auflösung beim Videostreaming flüssig läuft.

Ebenso möchte ich über die maximal mögliche Bandbreite an meinem Wohnort informiert werden, vor allem wenn durch einen Netzausbau Änderungen auftreten.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein. Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Jonas Schenke

Name: mick burbidge  
Email: [mickburbidge@yahoo.co.uk](mailto:mickburbidge@yahoo.co.uk)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Definitely not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
mick burbidge

Name: Alexandre Alves  
Email: [alexandrefdr101@hotmail.com](mailto:alexandrefdr101@hotmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

it would give more bandwidth to big streaming and downloading websites (eg. Youtube/netflix and/or steam) but would leave smaller companies to rot since they wouldn't be able to pay for the services and would, because of that, have less bandwidth making their service inferior to others.

Is there a demand for specialised services? Which services should be allowed this special treatment? specialised services should be a free thing given to websites with a lot of traffic for free, that way no one would suffer for not having enough income to pay for such services and smaller sites wouldn't need it in the first place.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not at all.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Since i'm an avid user of streaming services and general downloads this would most likely affect me in a bad way.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

i would love to know the amount of packet loss between the ISP and my computer since i never do get the speed i pay for and it's always some random variation.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Alexandre Alves

Name: Steven Boss  
Email: [darkvaporeon@yahoo.com](mailto:darkvaporeon@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No interference at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Steven Boss

Name: Arthur Hayles  
Email: [arthurhayles@hotmail.com](mailto:arthurhayles@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There may well be a demand for such commercial practices, but they are likely to limit an end-user's rights and competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services are likely to have a negative effect on communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Sufficient information should be provided by ISPs to enable the user to judge the speed, quality and management of the service.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Arthur Hayles

Name: Jan Walters  
Email: [janwalters@yahoo.com](mailto:janwalters@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services hamper freedom of communication

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jan Walters

Name: Alan Angold  
Email: [Alan.Angold@gmail.com](mailto:Alan.Angold@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Definitely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Alan Angold

Name: Richard  
Email: [richard@pietsch.se](mailto:richard@pietsch.se)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I think that many like to be able to surf "for free" when on a data plan. Sadly this might also mean that other content providers lose. In the long run it is not fair to zero rate a few particular providers if that also means that the rest of the providers are being charged a higher amount of data traffic fees...

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The positive could be that if zero rating is used to give subscribers access to some content providers for free they could then use the rest of their allotted data traffic to explore the net.

The very possible downside of this practice is of course that the zero rated sites must be "earned back" by the isp in one way or the other.

Unless of course that you as a content provider can pay for a zero rating. Which in turn must never mean that the rest of the content providers are punished for not doing this. I can see both be fits but also clear dangers to this practice.

Is there a demand for specialised services? Which services should be allowed this special treatment? As long as there is data traffic restrictions there can always be a need to facilitate access to certain content providers such as health (hospital) police, communal, county and governmental sites as not to restrict the access.

I can also see that non profit orgs. may fall under the specialized services...

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I find it disturbing that they do this, at the same time they must be allowed to manage their traffic to deliver a good service. I hope that there is a way to do that that does not involve content monitoring.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all would be the best, that might of course be naive to believe that it will happen. Today they throttle my mobile data traffic based on the type of account. I think that that is the only way forward as well.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All above.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Richard

Name: Steve Baeyen  
Email: [sbaeyen@hotmail.com](mailto:sbaeyen@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
ofcourse

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
negative, especially for consumers

Is there a demand for specialised services? Which services should be allowed this special treatment?  
public transport, military.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
nada, nothing, rien

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of it

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Steve Baeyen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

DI Reinhard Häusler

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Rudolf Tremetsberger  
Email: [rudolf.tremetsberger@chello.at](mailto:rudolf.tremetsberger@chello.at)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Keine kommerziellen Praktiken!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
Keine wie immer gearteten "Spezialdienste"!

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?  
Es gibt für mich keinen Bedarf.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Auf gar keinen Fall!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Keine Beeinflussung durch Provider!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Traffic-Management

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen

darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Rudolf Tremetsberger

Name: Ed Parks  
Email: [rebeled@gmail.com](mailto:rebeled@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I do not know.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

These services could either help or hinder the openness of the internet, but must be carefully studied.

Is there a demand for specialised services? Which services should be allowed this special treatment?

There is always a demand for specialized services, but they must not hinder the free exchange of information for all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much as is possible. I've always read the fine print.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not interfere; they are a service provider.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every

enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Ed Parks

Name: Charles Phillips  
Email: [ozark-wild@att.net](mailto:ozark-wild@att.net)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Charles Phillips

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

**\*Please enter your name/organisation\***

Vincent van der Lubbe

**\*Is there a demand for specialised services? Which services should be allowed this special treatment?\***

Only certain emergency services, like police or in case of large calamities. This should be a public regulated decision, not made by the providers themselves.

**\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\***

Providing an infrastructure service should not be treated differently, depending on who uses it or what type of service is rendered.

**\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\***

There will always be a demand for preferential treatment, but this to the detriment of other users. It will lead to a less open and less equal access to education, health, participation in (digital) society and business for the less fortunate, thereby negatively influencing society. The internet effectively is our access to participate in modern society, giving providers the rights to regulate this access is a grave misunderstanding of our common european heritage of civil rights. Don't let businesses decide who is allowed to participate on what conditions.

Imagine that our access to the street would be regulated by the businesses who build the roads, how absurd would this be? We have put the Middle Ages with high way robberies behind us and created a common european market with free flow of people, goods and services. Shouldn't this also be true for the internet?

**\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\***

I'm not an expert on this, I think only if this traffic monitoring is effectively and regularly monitored by an independent third party, which has the power and independent budget to meaningfully

sanction (effective damages which will influence the providers to stop any digression immediately) any digressions based on rules including privacy rights.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

See the above.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

Providers should be reasonably expected to deliver on the relevant promises they make in terms that users can understand. I would welcome if they should be required to communicate this also in their communication with their customers (f.e. in their invoicing). As they do for business users, where explicit agreements on service levels are made (SLAs).

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Vincent van der Lubbe (NL)

Name: Yannick Felix

Email: [yannick.felix1999@gmail.com](mailto:yannick.felix1999@gmail.com)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein. Wenn ich 50000 habe sollen alle Webseiten und Programme die vollen 6,25 MB/s DL ausnutzen können

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Besonders kleine Firmen und Seitenbetreiber leiden darunter, wenn sie viel Geld bezahlen müssen um bei den Kunden zu funktionieren. Viele große kostenfreie Dienste wie bspw. YouTube können so kostenpflichtig werden. Für Internetstartups wird es sehr schwer werden ihre Innovationen zu präsentieren

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Da wir in Deutschland mit eines der Länder sind, in dem das Datenvolumen am teuersten ist (35€ = 500MB(+ Allnetflat)), ist es schon in Ordnung, dass wenn z.B. ein Musikstreamingdienst mit im Vertrag ist, dieser nicht auf das Datenvolumen zählt. Trotzdem darf das nicht den anderen Verkehr oder das Datenvolumen insgesamt beeinträchtigen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Garnicht.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, da muss nichts gemanagt werden. Die Datenpakete sind alle gleich. Nur die Größe ist unterschiedlich.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Die mindest Geschwindigkeit und das Maximum, bzw sollten das eigentlich die gleichen Zahlen sein. Und ob der Hacken bei Quality-of-Service gesetzt wurde. Traffic-Management darf es garnicht geben! Und natürlich wann geplant ist, dass und ob der Anschluss ausgebaut wird.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Yannick Felix

Name: Gunnar Luehr  
Email: [guluehr@gmx.de](mailto:guluehr@gmx.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I think specialised services mostly discriminate other , for example new startup services, that cannot afford these kind of services. So i think it has a negative effect on innovations and new services!

Is there a demand for specialised services? Which services should be allowed this special treatment?

No, at the moment there is no demand for a specialised service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only a minimum to provide proper work of services like VOIP

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Importand information for me are: The theoretical maximum up- download speed and the real technical available up- download speed. Active QOS Services (like VOIP). Free charge of router and all necessary usernames and passwords.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Gunnar Luehr

Name: Dieter Schenk  
Email: [vagent@gmx.de](mailto:vagent@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Mehrkosten

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?

Keine

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Keine

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Alle

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Dieter Schenk

Name: Bengt Lüers / privat  
Email: [bengt.lueers@gmail.com](mailto:bengt.lueers@gmail.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Der Bedarf ist definitiv da. Leute wollen Facebook, Spotify und andere Dienste nutzen und sind bereit dafür mit einem Plattform-Lock-In zu bezahlen. Für die Plattformbetreiber geht die Rechnung auch auf, denn für sie ist die Nutzerbindung mehr wert, als es sie kostet, ihnen Zugang zu verschaffen. Die zweite Frage verstehe ich nicht. Natürlich schränkt Zero-Rating die Rechte der ihn nutzenden Endverbraucher praktisch ein, weil der Zugang zu Diensten, die nicht dem Zero-Rating unterliegen proportional erschwert wird. Sonst wäre das Modell ja für die Anbieter unattraktiv. Zero-Rating wäre, wenn ich z.B. über meinen Mobilfunktarif auf Facebook zugreifen kann, ohne, dass die dabei anfallenden Daten auf mein monatliches Übertragungsvolumen angerechnet werden. Das wäre für mich bares Geld wert, denn dann könnte ich den nächst-kleinere Tarifoption wählen und meine tägliche Kommunikation mit meiner Freundin über den Facebook Messenger abwickeln. Dazu bräuchte ich aber ein Facebook Profil, was ich sonst vielleicht mal löschen würde und könnte nicht so leicht auf innovative, neue Messenger umsteigen, wie z.B. Allo von Google. Wie Chatbots zeigen, sind auch scheinbar triviale Dienste wie Messenger immer wieder Feld für aktuelle Innovation. Solche neuen, besseren Dienste sind darauf angewiesen, dass das Internet neutral ist und ihrem Erfolg keine Hürden wie Zero-Rating im Weg stehen. Diese Eigenschaft hat das Internet zu dem gemacht, was es heute ist und es würde ein deutlich anderes, wenn wir sie ändern würden.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Spezialdienste eröffnen neue Geldquellen für Access Provider auf Kosten der eigentlichen Inhaltenanbieter. So könnte z.B. die Telekom z.B. Netflix zur Kasse bitten und damit zusätzliche Einnahmen erzeugen. Das zusätzliche Geld könnte in Netzausbau gesteckt werden und so auch kleineren Anbietern zu Gute kommen.

Schon im ersten Schritt ist dieses Geschäftsmodell jedoch widermoralisch, weil der Access Provider die gleiche Dienstleistung - Ende-zu-Ende-Netz - zwei Mal verkauft. Ein Mal verkauft der Access Provider dem Anschlussinhaber Zugang zu Netflix, ein zweites Mal verkauft er Netflix Zugang zum Anschlussinhaber. Da aber beide Zugänge Duplex-Verbindungen sind, ist es technisch die selbe Sache. Da Netflix sein Geld letztlich vom Anschlussinhaber hat, bezahlt dieser seine Internetverbindung doppelt.

Mit Spezialdiensten verkehrt sich das Geschäftsmodell des Access Providers von einem Dienstleister hin zu einem Gatekeeper. Von einem Access Provider ohne Spezialdienste wird erwartet, dass er seinen Kunden möglichst störungsfreies Internet bereitstellt. Dies ist überprüfbar und Kunden können wechseln, falls sie mit der Qualität der Dienstleistung unzufrieden sind. Als Gatekeeper hat der ISP gerade kein Interesse mehr daran, sein Netz störungsfrei zu halten. Im Gegenteil bieten Netzengpässe ihm die Gelegenheit, Diensteanbieter dazu zu bringen, Spezialdienste zu ordern. Daher sehe ich leider keinen Weg, wie dieses Szenario eintreten sollte.

Als Gegenvorschlag für erhöhte Einnahmen der Access Provider möchte ich schnellere Verbindungen zu höheren Preisen vorschlagen. Der Markt für Internetzugänge leidet seit einem Jahrzehnt

darunter, dass mit Flatrates zu niedrigen Preisen die Einnahmen auf niedrigem Niveau bleiben. Als Differenzierungsmerkmal bleibt aber die angebotene Übertragungsrate. Mit VDSL und VDSL Vectoring besteht die Chance, höhere Preise für höhere Übertragungsraten zu etablieren. Nach oben ist mit Glasfaser Einiges möglich, wenn man sich davon verabschiedet, dort die Übertragungsraten künstlich klein zu halten. Warum nicht 1 GBit/s via Glasfaser für 100 €/Monat anbieten? Einige wären bereit das heute zu zahlen und könnten den Netzausbau für andere mitfinanzieren.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ping, Jitter, Durchschnittliche Verfügbarkeit (99,999% oder was), MTBF, MTRS, Drosselung bestimmter Dienste und/oder zu bestimmten Zeiten, garantierte Mindestgeschwindigkeit, Peerings mit anderen AS, Kapazitäten an Übergabepunkten, Bewertungen großer Inhalteanbieter (Twitch, YouTube, Netflix), Bewertungen anderer AS-Betreiber, wie oft über Traffic-Management in den letzten Jahren eingegriffen werden musste.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein. Beim Internetzugang kann besser der Router des Kunden QoS auf Basis von DPI machen, im AS der ISPs gibt es dazu keine Notwendigkeit, weil die Kapazitäten ausreichen und im Backbone zwischen AS gibt es keine Möglichkeit, weil so schnelle Hardware nicht verfügbar ist.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Als Anschlussinhaber sollte ich der Einzige sein, der meinen Internet-Anschluss beeinflussen kann. Jeder Eingriff des Betreibers ist als Mangel anzusehen. Meinen aktuellen ISP habe ich danach ausgewählt, ob er P2P zeitweise drosselt oder nicht. Mit HD-Videotelefonie kommunizieren wir mehrmals pro Woche mit Verwandten außerhalb der EU. Diese Dienste sind absolut essentiell für unsere Netznutzung. Ich habe eine einmonatige Kündigungsfrist und kann so wechseln, sollte mein ISP meinen Internetzugang stören. Um sicher zu gehen, überprüfe ich meine Verbindung regelmäßig mit Werkzeugen wie Netalyzr, Speedtest und Neubot.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Bengt Lüers / privat

Name: TZM  
Email:  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Die Regulierung verbietet ausdrücklich [Kommerzielle Praktiken](Unter der Regulierung sind kommerzielle Praktiken solche Praktiken, die von kommerziellen Überlegungen ausgehen und nicht von (technisch) effizientem Netzwerkmanagement. Die Regulierung gibt den nationalen Regulierungsbehörden die Befugnis, bei derartigen Angeboten regulierend einzugreifen, damit die Rechte der Benutzer, Information frei und ungehindert empfangen und senden zu können, nicht beeinträchtigt oder verletzt werden.) die die Ausübung der Benutzerechte online beschränken. Zero-Rating widerspricht eindeutig den Absichten des Gesetzgebers, den freien und ungehinderten Zugang zum Internet zu erhalten. Zero-Rating beschränkt die Möglichkeit der Benutzer, Inhalte, Dienstleistungen oder Anwendungen zu verbreiten, das wieder beeinträchtigt Innovation, Dialog und den Austausch von Wissen.

Kommerzielle Praktiken werden in der Regulierung verstanden als jede Beschränkung der Basisfunktionalität des Internet aus kommerziellen Gründen, die nicht für die Funktionalität des Internet notwendig sind

Paid-Content-Dienste (bezahlte Inhalte, z.B. Musik oder Video Streams) unterscheiden sich von Zero-Rated-Diensten, weil dabei der Zugang zu gesamten Internet während der ganzen Zeit nicht verändert wird.

Alle Kommerzielle Praktiken die die Rechte des Nutzers auf freien Erhalt und Verbreitung von Kommunikation einschränken, laufen den grundsätzlichen Intentionen der Regulierung zuwider. Die Regulierung will den freien Zugang zum Internet schützen; kommerzielle Praktiken dürfen daher die freie Auswahl nicht beschränken, indem sie ein Angebot oder einen Dienst bevorzugen. Wenn eine kommerzielle Praktik derartige Nachteile bringt, bedeutet das nicht nur eine Verletzung von Benutzerrechten, sondern ist auch gegen das Grundprinzip der freien wirtschaftlichen Wettbewerbs.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Massive Zensur von unliebsamen Internetseiten. Wie? Ganz einfach: Wer zahlen kann, bekommt Bandbreite. Der Rest guckt in die Röhre. Wer geht schon auf eine Seite, die eine halbe Stunde lang laden muss? Genau dahin würde es führen.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Nochmals, N-E-I-N, es gibt keinen Bedarf. Außer dem Bedarf der eh schon Vermögenden, sich so noch mehr in die Taschen zu stopfen und nebenbei unliebsame Seiten schwerer zugänglich zu machen!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein. Solche Überwachung und Überwachung generell ist letzten Endes nur ein Mittel zur Aufrechterhaltung des menschenverachtenden Status Quo, der Sklaverei mittels eines privaten

Schuldgeldsystems. Auch der vorgeschobene Scheingrund der Terrorismusabwehr dient letztendlich nur diesem einen Zweck. Es wird Zeit, den Verantwortlichen und ihren niederen Beweggründen das Handwerk zu legen. In einer ressourcenbasierten Wirtschaft geht es jedem gut, ganz ohne Krieg, Armut, Kriminalität, Unterdrückung, Politik und dergleichen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht. Stattdessen sollte sich der Internet-Provider Streamingdienste vorknöpfen in Form von Drosselung und/oder Schröpfung. Wenn dieser ganze TV-über-Internet-Mist nicht wäre, wäre genug Bandbreite für alle da.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Alle Informationen, die es gibt.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
TZM

Name: Steve Anderson  
Email: [steve@openmedia.org](mailto:steve@openmedia.org)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Steve Anderson

Name: Richard Green  
Email: [richardrick77@aol.com](mailto:richardrick77@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

"Commercial practices" can be twisted to the Internet's detriment. If such practices are imposed it should be composed by a panel of users and the techs.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

They might raise access charges, at least, indirectly, and throttle the internet for both free expression as well as innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? Can't think of any I don't need.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Averages of internet speed for my various applications. This should be categorized by use, so I can determine their relative values.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The purpose of the internet is to foster open and free communication for each person on the planet. If governments, institutions and businesses can impose any controls whatsoever on the internet--however seemingly innocuous--the internet's promise and fundamental purpose is threatened and free thought vanishes.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NO INTERFERENCE WHATSOEVER WITH MY INTERNET!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Richard Green

Name: Nicole Johnson

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Demand for zero-rated services only exists to the extent that Internet providers treat their utility as a luxury and price it as such. Even then, such a false service would greatly limit a poor user's ability to seek out dissenting opinions and visit the websites of potential employers, perhaps without them even understanding why.

Is there a demand for specialised services? Which services should be allowed this special treatment? Specialized services are simply a bad idea and a secondary means of packaging zero-rating. We should not allow the Internet to be retrofitted such that it acts like cable, no matter how much ISPs wish it behaved that way.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Monitoring traffic, and especially deep packet inspection, should not be tolerated without a search warrant. "Traffic management" is simply a means of creating discrimination, whether based on above-board policies within the bounds of ill-conceived laws or underhanded attempts at silencing unwanted political behavior and extracting bribes from large companies.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Discriminatory treatment of Internet traffic is a concept that should at the lightest be treated with extreme caution and suspicion, and the privacy invasions that would make such an effort possible simply makes it not worth it outside of reasonable suspicions of criminal activity. The mere usage of peer-to-peer services should not in itself be treated as suspicious and potentially criminal activity, as this criminalizes a technology that potentially empowers individuals and small businesses.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I wish to know the maximum, minimum, and average upload and download speed for any given Internet service in my particular municipality. It should be a given that any ISP is private and nondiscriminatory, to the point that this need not be said to the end user and she can instead count on regular inspections to enforce laws which strictly prohibit violations of privacy and neutrality.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Nicole Johnson

Name: René Schwarz  
Email: [mail@rene-schwarz.com](mailto:mail@rene-schwarz.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Alle Informationen, die die Leistungserbringung mir gegenüber beeinflussen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
René Schwarz

Name: Lawrence Dillard  
Email: [lawrence\\_dillard@yahoo.com](mailto:lawrence_dillard@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
There should be no special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All relevant information. Especially if my provider is throttling service.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lawrence Dillard

Name: MBD

Email: [mark.bult@gmail.com](mailto:mark.bult@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Disadvantaged communities, individuals, and organizations can only compete in a level way on the Internet. They will be just as disadvantaged in the online world as they are in the real world.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No throttling. It does away with a level playing field.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
MBD

Name: John Iki  
Email: [John\\_Ikisan@hotmail.com](mailto:John_Ikisan@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I see no good value arising from commercial practices, such as Zero Rating, which could shut out users like libraries, children doing homework, or anyone with limited financial means from accessing vital content like weather or news.

Is there a demand for specialised services? Which services should be allowed this special treatment? None I can think of.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Regulation of specialized services would inflate costs, increase Net traffic unnecessarily, and unduly infringe on Internet access to lower income end users. Regulation is like an economic apartheid and should be rejected.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell me as, a consumer, in simple language, any time or usage limits on my ISP subscription, its cost, how its charges are derived, what subscription packages it offers, and how I can choose ways to manage my personal usage without granting the ISP access to my account and its not analyzing my Net use or content.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not interfere with my Internet usage.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, ISPs should not have monitoring privileges.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
John Iki

Name: Joseph Cusimano  
Email: [joe@cusimano.biz](mailto:joe@cusimano.biz)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Joseph Cusimano

Name: Catherine Hirsch  
Email: [chkh@earthlink.net](mailto:chkh@earthlink.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I'm not sure, but I don't believe in interference.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Just enough to understand.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Catherine Hirsch

Name: WILLIAM DAVISON

Email: [NOWANDZEN7@NETSCAPE.NET](mailto:NOWANDZEN7@NETSCAPE.NET)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ZERO

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
WILLIAM DAVISON

Name: Matthias Büchner  
Email: [MAB69@gmx.de](mailto:MAB69@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Eindeutig: Nein. Das ist Spionage. Mein Datenverkehr darf nicht überwacht werden, schon gar nicht die Inhalte. Was für das Briefgeheimnis gilt, muß auch hier gelten!

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität

verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Matthias Büchner

Name: Eric Ashley  
Email: [eashleyfl@yahoo.com](mailto:eashleyfl@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It gives an unfair advantage to get zero-rated services!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Giving some traffic priority increases the cost of a new innovation being able to prove its large-scale potential.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No, all IP traffic is the same.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Eric Ashley

Name: Sheila Malone

Email: [sheilakathleenmalone@gmail.com](mailto:sheilakathleenmalone@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I have no interest in websites like shopping or sports however I am very active politically as well as with my non-profit. I could easily find myself "locked out of the sites that I use everyday and have unlimited use of sites I have no interest in.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely no ISP or Government should be monitor where I go on line or what I download/upload.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not be allowed to restrict my ability to view any web site or its content. I am the membership Director for a small non-profit and we have all kinds of information as well as our members accounts on line. We could not afford to pay more money so our members can access their accounts.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,

Sheila Malone

Name: Michael Dobesch

Email: [michael.dobesch@yahoo.com](mailto:michael.dobesch@yahoo.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Michael Dobesch

Name: Kathleen Kuczynski

Email: [katski47@cox.net](mailto:katski47@cox.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,

Kathleen Kuczynski

Name: Sylvia Hopkins  
Email: [sylviahopkins321@gmail.com](mailto:sylviahopkins321@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I believe commercial practices such as zero-rating would limit my rights as an end-user. I cannot participate in for-pay navigation in any way.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services would suppress future innovation and the openness of the internet, for sure.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Sylvia Hopkins

Name: Thomas Bolker  
Email: [tjstudios1@gmail.com](mailto:tjstudios1@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Nothing discriminatory should be permitted.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I see no negative impact whatsoever on innovation and/or special services (you have not defined special services) from having an open Internet, unencumbered by throttling or fast lane distribution of access. If anything, throttling will only hurt innovation, contrary to false arguments made by some ISP and backbone providers. The tact to take should be to continue the development of increased bandwidth FOR ALL USERS and not the artificial meting out of access. The Internet is a utility, not the diamond trade. It should not be treated as a commodity.

Is there a demand for specialised services? Which services should be allowed this special treatment? How can this be answered without a definition of applicable "special services" Sounds like a preemptive loophole in the making.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. They should have no more privilege to a users content than a telecom service provider has to one's telephone. This is nothing but a tool to game the system for unnecessary profiteering.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

As little as possible, if at all. They must prove that it is in fact, technologically necessary.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

It would be useful for ISP's to provide a software utility or online method of gauging these matters.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Thomas Bolker

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Sven Severini, Tenerife, Spain.

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

There is too much already. Internet is not television, and for sure not made for fast live streaming in HD.

Streaming over a company's network to end users should not be allowed to be privileged above any other streaming services. If content is not pushed to the end user, but pulled by the user from a computer, then it is internet, and privileges over other (similar) services shouldn't be allowed.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Governments and public campaigns could pressure companies not to cooperate with groups or companies they don't like, e.g. political or social movements. Sites or Apps of companies or groups which are opposed by some influential players could have less access to a country's population. This harms freedom and democracy.

Many services of the future could and should be more like a peer-to-peer network. A bit like Bitcoin or Freenet-Project.

Information could be downloaded in the background and shared, all the time. This is even more difficult to archive if these services are slowed down by the service providers or if there are many zero-rating-users.

\*Is there a demand for "commercial practices" such as zero-rating?

Could these limit your rights as an end-user? Please provide examples.\*

It would privilege services which are governmental friendly over privacy friendly services like Tor, Bitmessage, and any decentralised network. It generally privileges huge companies over smaller ones and over other alternatives. It's a coup against citizens, small companies, freedom and innovation.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

If it only manages the services I'm using then it might be okay. But I'm not sure if this could be misused for spying on me and store that information. In that case this technology shouldn't be allowed to be there in the first place.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

This is only acceptable if throttling of one service I'm using is being used to speed up another I'm using at the same time. Never ever to prefer the service someone else is using. Even then it should be used very carefully, since P2P could mean communication, receiving information, making payments, etc. I doubt that it is important at all. Maybe streams could be preferred to some extent.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

Of course all of it, in an understandable language.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry.

These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules.

Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sven Severini

Name: Gustav

Email: [gustavganz@mailinator.com](mailto:gustavganz@mailinator.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Gustav

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Martin Sauter, WirelessMoves

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and

subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

*\*Please enter your name/organisation\**

Jan Krämer

*\*Is there a demand for specialised services? Which services should be allowed this special treatment?\**

With the current infrastructure and infrastructural possibilities there should be no need for specialised services under any circumstances.

*\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\**

Not only would it obviously hurt the openness of the Internet if only big companies have access to the "hyperspeed lane" of the internet, but future innovation would stagnate heavily in my opinion. The competition would be greatly reduced if the financial hurdles to get preferred treatment from ISPs are too high for small and non-commercial webservices. Without this competition there would be no need for technological progress, therefore there can also be no intellectual growth in our society.

*\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\**

A good example would be the free internet campaign of Facebook in India. While it is an admirable effort to facilitate access to the world wide web for people who could not afford it before, it is questionable to reduce that offer to a few selected services. If Facebook had succeeded, it would have gained the power to dictate the Indian people where to get information from and what information they can get. This would rob them of their free will to gather information freely from several sources. This kind of censorship should never happen.

*\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\**

First of all in a neutral net the need for traffic management should never occur. But the ISPs (at least in Germany) already know how much traffic I cause. A further inspection of the traffic would be a grave violation of my privacy. This would be equivalent of the Deutsche Post opening my mail or packets.

*\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\**

The ISP should never prioritise any traffic. Again, prioritizing leads to an unfair market and creates a tendency for monopolies to emerge. This would greatly hinder technological/intellectual/cultural growth.

*\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\**

I would for sure like to know the speed of my connection. If the ISPs are applying any form of traffic management on my connection I also would like to know what kind of management they use and

most importantly why they think the management is necessary.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Jan Krämer

A concerned citizen

Name: eric chaon

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,

Name: M. Suppus  
Email: [Snowblood84@yahoo.de](mailto:Snowblood84@yahoo.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er

den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
M. Suppus

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Christian Düntgen

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Andrew Sun  
Email: [andy.sun00@gmail.com](mailto:andy.sun00@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No - that not only gives them power to discriminate against certain traffic types, but also is just plain creepy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None - packets are packets.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know exactly what I am getting before I start paying, which includes speeds, throttling, data caps, upload speed, latency, and censorship.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Andrew Sun

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Amrei Exel

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Landry MINOZA  
Email: [landry.minoza@gmail.com](mailto:landry.minoza@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Landry MINOZA

Name: Karlheinz Hug  
Email: [khu@karlheinz-hug.de](mailto:khu@karlheinz-hug.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein. Inhalte von Datenverkehr dürfen nicht überwacht werden, da die Gefahr von Missbräuchen zu groß ist.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Karlheinz Hug

Name: Rafael Norville  
Email: [koolraffie@hotmail.com](mailto:koolraffie@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Rafael Norville

Name: Myself  
Email: [joe.feely@googlemail.com](mailto:joe.feely@googlemail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The ISPs and some of the large established online "services" would probably think so, so they can extract more money from users. I can't think of any such requirements that users would want. This would seem to be cries of "scarcity", in the light of ISPs not investing in improving infrastructure.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If an ISP has fulfilled the demands (needs) of customers, and wishes to place additional (not diverted) resources to "specialised services" I suppose that might be ok, but I would be very weary of such as once in place the danger of "creep" would be a constant danger / temptation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. If I go somewhere and / or do something, I am entitled to do so in privacy, given that place is not public. Ordinary people (I suggest the very vast majority) do not consider their use of the internet to be "doing stuff" in public.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

If an ISP has to manage traffic for "good" reasons that's ok. Such management, would be open, transparent, exceptional, rare. It would be demonstrably UNrelated to profit. "Consumers" have paid and continue to pay ISPs such fees that the infrastructure of the IN should be considered the consumers right, which they have the privilege to facilitate.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Data collection and retention details, and what analysis are carried out on the data (including meta data). Information about the infrastructure of the IN (or my ISPs part / end of it). Business transparency.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Myself

Name: Myself  
Email: [joe.feely@googlemail.com](mailto:joe.feely@googlemail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The ISPs and some of the large established online "services" would probably think so, so they can extract more money from users. I can't think of any such requirements that users would want. This would seem to be cries of "scarcity", in the light of ISPs not investing in improving infrastructure.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If an ISP has fulfilled the demands (needs) of customers, and wishes to place additional (not diverted) resources to "specialised services" I suppose that might be ok, but I would be very weary of such as once in place the danger of "creep" would be a constant danger / temptation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. If I go somewhere and / or do something, I am entitled to do so in privacy, given that place is not public. Ordinary people (I suggest the very vast majority) do not consider their use of the internet to be "doing stuff" in public.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

If an ISP has to manage traffic for "good" reasons that's ok. Such management, would be open, transparent, exceptional, rare. It would be demonstrably UNrelated to profit. "Consumers" have paid and continue to pay ISPs such fees that the infrastructure of the IN should be considered the consumers right, which they have the privilege to facilitate.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Data collection and retention details, and what analysis are carried out on the data (including meta data). Information about the infrastructure of the IN (or my ISPs part / end of it). Business transparency.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Myself

Name: Water for fuel  
Email: [pathkeeper@gmx.co.uk](mailto:pathkeeper@gmx.co.uk)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No everybody's opinion should be confidential and private between seller and buyer.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

A gateway for those with an agenda to push their own needs using power and stealth. Positively, I can't think of much.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Not really.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Everybody should mind their own business. What are they so scared of?

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It shouldn't be allowed to.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Who is spying on me, it's speed. That's all I need.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Water for fuel

Name: Curtis Eckstein  
Email: [curt.eckstein@gmail.com](mailto:curt.eckstein@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
0

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Curtis Eckstein

Name: Michael Hansen  
Email: [spellstalker7@yahoo.dk](mailto:spellstalker7@yahoo.dk)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If the company in question doesn't feel like using "zero rating" for services I like, it is essentially a discouragement for me to use those services and as such a violation of net neutrality.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Regulation is fine when it is directed properly. This is not necessarily such a case.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No demand that I've heard of.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, not quite. I prefer my intimate moments to be my intimate moments.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Limited at best. As a singular person, I can say there are certain forms of censorship I'm not necessarily going to rage against, but prioritizing internet use by certain services, on the other hand, violates net neutrality and incurs the negative consequences associated with doing so.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

While it is fine to regulate businesses in order to make sure they provide certain types of information, it should be a more loose type of regulation when centered on smaller businesses, as they are unlikely to cause the harm associated with larger corporations, especially the monopolies for which the heavier regulation should be reserved.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Hansen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Philipp Wellek

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,

A concerned citizen

Name: Sharon Wojno  
Email: [wojnosharon@yahoo.in](mailto:wojnosharon@yahoo.in)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The specialized services could be taken over by big corporations with self interest. Thereby the internet becomes bias.

Is there a demand for specialised services? Which services should be allowed this special treatment?

no

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. The internet should not be monitored. It must be a free media.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

no interference

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

if there are any limitations, I want to know them

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sharon Wojno

Name: Martin Krause  
Email: [martinkrause2002@yahoo.de](mailto:martinkrause2002@yahoo.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating could lead to monopolies within the content providers and an unhealthy power of the internet providers. For example, if the Deutsche Telecom zero-rates Spotify as a music streaming service, no one who gets internet access via Deutsche Telecom would choose an other music streaming provider.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

In no way

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I should have the information I need in order to make reasonable assumptions about the quality of the service available for my particular priorities (gaming, video, etc).

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Martin Krause

Name: Phillip Randall  
Email: [filipsamovichr@gmail.com](mailto:filipsamovichr@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There should be no restrictions

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Innovation will be limited

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Phillip Randall

Name: FTFF

Email: [bearndrgn@gmail.com](mailto:bearndrgn@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there is no demand and it would limit rights as an end user if the ISP is allowed to choose what I see or when I see it and the speed at which I see it

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I am not currently sure of any positives, but the negative would primarily be censorship

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, absolutely not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Just the speed, quality of the network, and data packet mining is done and why.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
FTFF

Name: Dennis Simpson  
Email: [simpson.dennis@gmail.com](mailto:simpson.dennis@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No zero-rating. No special deals by an ISP that puts other services and competitors at an advantage.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The Internet will become an expensive nearly useless service when ISPs start charging to make more money by putting their competitors at an advantage.

Is there a demand for specialised services? Which services should be allowed this special treatment? ISP need to have sufficient capacity for their and competitor products. Otherwise the ISP will limit capacity and claim they need to charge more for competitors products. That is simply a lie.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

All internet services must be treated equally and free. There should not be any special pricing for advertisers and businesses to the detriment of others.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

An ISP should not be able to interfere with my Internet connection. No throttling. No slowdowns for competitors.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

The ISPs must clearly tell all their service options and limitations.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Dennis Simpson

Name: Álvaro Domingues Alves

Email: [facochero@outlook.pt](mailto:facochero@outlook.pt)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not interfere with any aspect of my Internet connection.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Álvaro Domingues Alves

Name: Nicholas Iarrow  
Email: [Larrownicholas@gmail.com](mailto:Larrownicholas@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Even if there is that demand cannot sacrifice the rights of others

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Nepotism

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
No need for it as it could funnel customers into faster loading websites

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Never. Why should they have access to anybody's personal information or data that can reveal those. They sell a product.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Complete transparency. So all of it including data stored about searches done by myself

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Nicholas Iarrow

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Jürgen Mira

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Please treat this comment confidentially and don't publish it.

Kind regards,  
A concerned citizen

Name: José Esteves

Email: [artimanhas@hotmail.com](mailto:artimanhas@hotmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Only mega-companies would want zero-rating. The consumers don't need it

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No need for specialised services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not at all.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It shouldn't.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
José Esteves

Name: Jim Thomas

Email: [jmichaelthomas2005@gmail.com](mailto:jmichaelthomas2005@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
PORN!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Free exchange of ideas and information.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No, No NO!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
More is better.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jim Thomas

Name: Dr. J L Underfeer  
Email: [Doc6637@aol.com](mailto:Doc6637@aol.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

?

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

?

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
speed and quality

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Dr. J L Underfeer

Name: LLOYD Downs  
Email: [lloydmdowns@juno.com](mailto:lloydmdowns@juno.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

NO - THIS IS JUST ANOTHER POWER GRAB BY BIG CORPORATIONS

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I cannot think of any positive impacts, but we want to keep net neutrality in America and everywhere else.

Is there a demand for specialised services? Which services should be allowed this special treatment?

NONE

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I WOULD APPRECIATE ANY INFO ON THIS SUBJECT

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
LLoyd Downs

Name: Andreas Habermehl  
Email: [onohabi@mac.com](mailto:onohabi@mac.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Keine Sonderstellung für jegliche Dienste

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte.

Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Andreas Habermehl

Name: Jill Green  
Email: [cyberbeeny@gmail.com](mailto:cyberbeeny@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating commercial practices could limit my rights as an end user in not guaranteeing the best service.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jill Green

Name: Robert Rosas  
Email: [2ravmn@gmail.com](mailto:2ravmn@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No demand.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is no positive.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All the listed & maybe total usage for curiosity purposes.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Robert Rosas

Name: Mercedes  
Email: [miarmillas@gmail.com](mailto:miarmillas@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mercedes

Name: Ken Ward  
Email: [kward3@nycap.rr.com](mailto:kward3@nycap.rr.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ken Ward

Name: Larry Lewis  
Email: [ltlewis10@yahoo.com](mailto:ltlewis10@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Larry Lewis

Name: Paul Escamilla  
Email: [pesky1@gmail.com](mailto:pesky1@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Paul Escamilla

Name: Alexander Jacob  
Email: [alexzx@hotmail.com](mailto:alexzx@hotmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Der Internetprovider soll meinen Anschluss nicht beeinflussen. Er soll Internet Providen. Und zwar das ganze Internet. Bitte.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Alexander Jacob

Name: Alex W Boucher  
Email: [thebooch@gmail.com](mailto:thebooch@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Zero

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Alex W Boucher

Name: Gotham City Drupal  
Email: [kelly@gothamcitydrupal.com](mailto:kelly@gothamcitydrupal.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no legitimate use case for zero rating that doesn't compromise the essential power of the Internet. Zero rating is not worth the sacrifice of end user rights this practice entails.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
NO, and NONE

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE WHATSOEVER

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Bandwidth, speed, any and all details of what private information is retained (ideally none), any agreements made with competitors for geographic location, lobby effort disclosures, details of how traffic is managed, data caps (if any), punitive content restriction, etc.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Gotham City Drupal

Name: Robert Miller  
Email: [robert.miller@zeitwurm.de](mailto:robert.miller@zeitwurm.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Latenz, Traffic Management, Quality of Service

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien

Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Robert Miller

Name: Rens Huizer  
Email: [renshuizer@gmail.com](mailto:renshuizer@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There certainly is a demand for these 'services' and they do have benefits. It's great if a certain service doesn't count towards my data cap; I can use more of the internet for longer. On the short term, there are only benefits.

On the long term, however, zero-rating kills competition and thus stifles innovation. In the end, we'll be worse-off with zero-rating than without it.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

As I previously stated, discriminating between different services only kills competition.

Imagine a city where there's a fast food restaurant on a nicely paved road in the city center. Discriminating between different services would be like blocking other restaurants from settling on this road and only being allowed to build on the outskirts of town where only a dirty sand road is available.

A new restaurant looking to settle might have friendlier waiters and waitresses, better and cheaper food and a nicer looking accommodation, but due to the way there being horrible, almost no one will go there.

It is exactly the same when we allow ISPs to use zero-rating and other discriminative tools; new companies, ideas and services will have a major disadvantage over the already established companies due to being throttled by the ISPs, which means that innovation and progress will be a lot harder to achieve.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not at all. Privacy should be respected for anyone using the internet, and traffic should not be allowed to be monitored.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. I should be able to decide if I want to prioritise traffic myself, and what traffic to prioritise. My ISP should not interfere with my business on the internet.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Rens Huizer

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Michael Seibt, Chemnitz, DE

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Only voice phone connections, especially for emergency calls, should be prioritized over any other internet service.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

If there were allowed single exceptions from neutrality, further parties would argue that they need an exception, too. This frontier would be moved and moved. That's why it shouldn't be opened.

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

In the end, I would have to pay for a service, which was chosen by "my"

provider. What then if I would like to use such a service from a competitor? I don't want to need to switch to another provider because of an additional service. What if provider X prefers service A1 and service B2, and provider Y prefers service A2 and service B1, and I like to use services A1 and B1?

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No, not at all.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

Not at all. If I want traffic shaping, I'll configure my router myself.

Most of P2P or synchronization service have their own options to limit the bandwidth.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I want to know

- the minimum and maximum speed in both directions,
- the quality of service including capacity of the connection to the backbone,
- and that the traffic won't be managed except for voice phone calls.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Michael Seibt

Name: Erwin Ernst Steinhammer  
Email: [eestoneee@gmail.com](mailto:eestoneee@gmail.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Es gibt keinen Bedarf für Zero-Rating. Zero-Rating könnte mich z.B. dazu zwingen, dass ich ohne Einschränkung meines Datenvolumens den Streamingdienst von Amazon nutzen könnte, obwohl nur Netflix die Sendungen hat die ich wirklich sehen will, somit müsste ich mich entscheiden ob ich nur eingeschränkt streame oder einfach nicht das sehe was ich sehen will, oder mir gar beide Streamingangebote kaufe. Egal wie ich mich entscheide am Ende kostet es mehr als ohne Zeroring.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Ich kann mir keine positiven Einflüsse vorstellen, deshalb bin ich der Meinung, dass die in der EU Verordnung festgelegten Spezialdienste möglichst streng definiert werden und nur Staatlichen Organisationen in Ausnahmefällen vorbehalten bleiben. Z.B. für die Organisation nach Umweltkatastrophen oder das Erreichen von temporär von der Außenwelt abgeschnittenen Regionen.

Für alle anderen Fälle sehe ich keinen Bedarf an Spezialdiensten, da diese einen fairen Wettbewerb verzerren.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Internet-Provider sollen meinen Datenpakete zum Managen des Datenverkehrs nicht überwachen können.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Mein Internet-Provider soll alle ein- und ausgehenden Daten zu meinen Devices neutral behandeln. Ich will selbst über meinen eigenen Datenverkehr bestimmen können.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und

nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Erwin Ernst Steinhammer

Name:

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
undefined

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Thomas Schranz

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen  
Thomas Schranz

Name: sandrastandeford  
Email: [f0712b@gmail.com](mailto:f0712b@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
zero

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
sandrastandeford

Name: Dominik Pernegg  
Email: [d.pernegg@gmail.com](mailto:d.pernegg@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Dominik Pernegg

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Antoine Perrin

Name: Laura Horowitz  
Email: [12newmoons@gmail.com](mailto:12newmoons@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

When we won Net Neutrality in the U.S., the FCC decided to enforce “zero-rating” on a case-by-case basis. That has been a disaster, with ISPs like Comcast and Verizon rolling out zero-rating schemes that punish Netflix and Youtube viewers.

Folks. This summer, we have a *\*huge\** opportunity. We can win real Net Neutrality in one of the world’s most important regions: Europe.

But if we lose, every Internet user in the world will feel the impact, as ISPs win more political power—and more control over their customer’s choices.

European regulators will finalize their guidelines by the end of August. They’ve published a draft, and there are some really bad loopholes. If we fix these loopholes, we win. One victory, 28 countries, and some of the largest markets in the world!

But if we don’t, telecom monopolies win the power to manipulate Europe’s Internet. Activism beat the telecom lobbyists in the U.S. and India. We can’t lose Europe. The comment period ends July 18. That’s just 39 days left to submit millions of comments to the EU for Net Neutrality. Let’s do this!

[Click here to submit your comment to EU regulators right now!](#)

You might not live in Europe, but what happens there this summer matters everywhere. This will influence net neutrality rule making around the world—including in the U.S., where the FCC is still deciding on zero-rating. And Europe is a huge market. If Europe’s giant telecoms can manipulate which sites get popular in Europe, that shifts the landscape everywhere.

The Internet gets more boring, more corporate, and less independent—for all of us.

On the other hand, if we win, other countries will have yet another reason to pass great Net Neutrality rules. America’s FCC will feel more pressure to ban harmful zero-rating plans. And the number of people (and businesses, and activists, etc.) operating in an unequivocally open internet will skyrocket.

You saw how we won in the U.S., by driving millions of comments to the FCC, paired with strong legal arguments. That’s how they won in India too. Now we desperately need to make that same internet miracle happen in Europe. So far, the number of comments submitted to BEREC is in the low thousands. Let’s add some zeroes to that number, fast.

Even if you’re not an EU resident, you can comment too. [Click here to submit your comment!](#)

The first loophole we need to fix is “zero-rating.” This is the shady practice of ISP’s \*charging you\* for Internet and then pushing/forcing you to use some sites by making them appear free, while charging you even more to access others. Zero-rating tilts the Internet towards tech giants, away from new startups and independent voices.

When we won Net Neutrality in the U.S., the FCC decided to enforce “zero-rating” on a case-by-case basis. That has been a disaster, with ISPs like Comcast and Verizon rolling out zero-rating schemes that punish Netflix and Youtube viewers.

We can’t make the same mistake in Europe. The right move is to ban any zero-rating that privileges one kind of site or app over others. Activists in India won this already. We can win in the EU too. But we need your help.

If we beat shady “zero-rating” deals between telecom & tech giants in the EU, that makes it easier to ban them everywhere. [Click here to submit your comment!](#)

The second loophole is about “traffic management”. The Internet isn’t just web traffic. There’s videochat, BitTorrent, games like Minecraft, and privacy tools that encrypt your traffic like VPNs and TOR. Good Internet providers try to make \*all\* of these services work as best they can. But the new EU rules would let Internet providers be lazy—or evil—and throttle traffic they don’t care about, or don’t like, even when there’s no need to. That undermines the very heart of the internet—the free flow of all information,

That’s a serious problem, for any app that goes beyond the web, whether it’s to protect privacy, let people communicate directly, or make the internet more decentralized and independent. Videochat. Games. Bitcoin. All of them are at risk. And if we win, all of those apps’ traffic will be protected from arbitrary slowdowns, forever! Europeans deserve as much access and internet speed as we have in the US.

Finally, the third big loophole is a familiar one. A subtlety in the rules would let ISPs offer “specialized services” in a fastlane that would cannibalize bandwidth for other services. We need to make sure that if an ISP offers a specialized service (like television), that bandwidth is in \*addition\* to whatever else people have. Otherwise it’s a fastlane. And that’s not going to help individual users.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No, this is a fiction created by ISPs.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any action that prioritizes business over individuals and sacrifices our privacy to commercial interests will attack the very reason for which the internet was created: the free and open flow of information among individuals. I see no positive impact from such actions; companies have shown over and over that they will not protect our interests when there is money to be made.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like clear, simple, uniform language that describes my rights and responsibilities, as well as the services provided and my options in regard to those.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, content is not their business.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals. Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context. Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,

Laura Horowitz

Name: Elco Verschuren  
Email: [charles\\_brenten@hotmail.com](mailto:charles_brenten@hotmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The only demand for commercial practices is by big corporations only. Steering me towards commercial (and heavily regulated) sites will only hurt my free choice to browse where and what I want. I should not be penalized for not sharing the same interests with largest focus groups.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The same as my earlier answer: The only positive impact is for big corporations only. Steering me towards commercial (and heavily regulated) sites will only hurt my free choice to browse where and what I want. I should not be penalized for not sharing the same interests with largest focus groups.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I don't mind if it is for traffic management only, but that is not what they are going to use the information for.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not interfere with my connection. Where and what I browse should be my choice, and not theirs.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Honest, up-to-date information on my speed and quality of service and not a commercial on what is theoretically possible.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Elco Verschuren

Name: Florian Horstmann  
Email: [florian.horstmann@icloud.com](mailto:florian.horstmann@icloud.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Florian Horstmann

Name: April Ford  
Email: [aford.cn@gmail.com](mailto:aford.cn@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I don't think there is a demand. People want good service, but they want to be able to choose their apps and services and not be forced into using the ISP's choice just to get good service. No service should be allowed preferential treatment. Fair competition brings us the best innovation, not monopolies!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Innovation will be squashed because small start-ups and new ideas will be unable to compete with the entrenched services that have already paid off ISPs to give them preferential treatment.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If ISPs are allowed to provide zero rating to their own services or services that have paid them off, it will provide them no motivation to give quality service to other apps and services. Users could be forced into using the ISP's services through sketchy service provided to their preferred apps. It's no different than "fast lanes", they've just found a sneakier way around.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should NOT be able to interfere at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would love to know my speed, quality or service, and how my traffic is managed. I would also like to see how my service compares to other customers and how my service using different apps compares.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
April Ford

Name: Nathaniel Swanson  
Email: [swanson2016@gmail.com](mailto:swanson2016@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Sure, there is probably a lot of demand for “commercial practices”. It is the perfect place to be able to pay a fee that I know competitors or up and comers wont be able to pay for.

This is paying at the other end for bandwidth that was already paid for by a) the customer and b) the webhost. Now, the ISP wants to get paid again by either the customer or the webhost. Classic ISP double dipping.

This hinders anyone trying to compete with a service that isn't as good but is already established in the market place.

What could be the positive and negative impacts of specialized services on future innovation and openness of the Internet?

The best case for a fast lane for specialized services would be for emergency or medical communications. All other non life threatening services should have to live with the poor bandwidth situation that everyone else gets. Ideally, these two services would operate on a separate network and often are.

The downside to this would be competitors not being able to compete against an established player. It would also end up costing consumers more. Companies would be purposely throttled or in the case of Netflix and Comcast in the US, ISPs would just not upgrade their networks to handle the traffic in order to strong arm businesses into paying for priority traffic. Those costs would then be passed on to the customer. There would become a point when it was just taken for granted that you had to pay ISPs for better traffic or you wouldn't be relevant. It's another classic example of ISPs trying to sell the same bandwidth twice.

Is there a demand for specialized services? Which services should be allowed this special treatment? I'm not sure if there is a demand for specialized services but other than emergency services, I don't see why it would be need or what benefit would come from it for consumers.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know what my average bandwidth an ping are, how long my connection was up and how often it was down, and if traffic is blocked or shaped and how.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The only reason ISPs would need traffic management is if their network has more traffic than they can handle. Due to privacy concerns, I think it is very important to know that my ISP isn't using deep packet inspection. Traffic can be managed, if the network can't handle the amount of bandwidth the ISP sold, by throttling traffic on designated ports according to traffic type.

It is more important that skype packets don't get delayed than emails, which have default ports. There is no need for deep packet inspection and is just too much of a risk.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It is absolutely insane that an ISP should have to throttle traffic. they should only be selling as much as they can handle. If they oversell and start having too much traffic on their networks they should upgrade it. They shouldn't be punishing customers by throttling traffic that they paid for because they can't keep up with what they sold.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Nathaniel Swanson

Name: Robert Markovski  
Email: [Red\\_hot\\_smasher@yahoo.com](mailto:Red_hot_smasher@yahoo.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Of course there is demand - why compete fairly when you can just bribe service providers into offering access to your service on different terms than competing services?

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No and none.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all - if something constantly bogs down their network, their network simply isn't powerful enough.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Have you checked whether your Internet Service Provider (ISP) gives you clear, understandable and easily available information about its service? If you have, was the information clear enough?  
Perhaps not that much. BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. Your ISP should tell you concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become less discriminatory simply because the provider is "transparent" about it in the consumer contract. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Robert Markovski

Name: Ted Clausen  
Email: [tjclausen@gmail.com](mailto:tjclausen@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ted Clausen

Name: Dominik Neubauer  
Email: [netzneutralitaet.2016@t-rash.de](mailto:netzneutralitaet.2016@t-rash.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, eine Analyse des und ein Eingriff in Datenverkehre sollte ausschließlich zur Sicherstellung der Betriebsbereitschaft bzw. zu konkreter und akuter Fehlerbehebung zulässig sein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Sofern über eine gemeinsame Strecke mehrere, voneinander technisch getrennte Dienste geleitet werden (z.B. Internet-Anbindung \*und\* Telefonie über eine gemeinsame TAL), ist ein Traffic Management zur Gewährleistung der Verfügbarkeit beider einzelnen Dienste zulässig. Innerhalb einer Verbindungsart sollte keine Differenzierung zwischen unterschiedlichen Diensten und/oder Kommunikationspartnern stattfinden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen

wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Dominik Neubauer

Name: John Holtzclaw  
Email: [john.holtzclaw@sierraclub.org](mailto:john.holtzclaw@sierraclub.org)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

?

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

?

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

?

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
John Holtzclaw

Name: Dirk Wetterling  
Email: [dirk.wetterling@posteo.de](mailto:dirk.wetterling@posteo.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Dirk Wetterling

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Karen Bowden

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well-funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialized services only under strict safeguards. Article 3(5) and Recital 16 require the optimization of specialized services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialized services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialized services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialized services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behavior in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

B.Kuckart

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Themis Rinas  
Email: [themisrinas@yahoo.gr](mailto:themisrinas@yahoo.gr)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Themis Rinas

Name: Thomas Sirvent  
Email: [thomas@sirvent.fr](mailto:thomas@sirvent.fr)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Of course no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
He could be able to take just 10% of my connection speed

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
real speed tests

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Thomas Sirvent

Name: Saskia Deiters  
Email: [deiters@deiters.de](mailto:deiters@deiters.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Keine FREIHEIT mehr!

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Saskia Deiters

Name: Reuben Rail  
Email: [reubenrail@gmail.com](mailto:reubenrail@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No. Do the right thing.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
In other industries this is called extortion.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Reuben Rail

Name: Rhys Carpenter  
Email: [carpenter.rhys@gmail.com](mailto:carpenter.rhys@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes, as an artist this would likely limit my ability to distribute my services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed, quality of service and better information on ping inconsistencies.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Rhys Carpenter

Name: N. Perry  
Email: [nareshaperry17@yahoo.com](mailto:nareshaperry17@yahoo.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
N. Perry

Name: Harald Puhl  
Email: [h.puhl@cauris.de](mailto:h.puhl@cauris.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Ich bin nicht der Meinung, dass der Internet-Provider diese Möglichkeit haben soll

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Harald Puhl

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Philipp Krüger

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

No, there is no compelling reason to offer specialised services.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

There are no positive impacts.

\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

Zero-rating is unnecessary since networks are designed for peak load and not for average load. Volume based tariffs are the root evil here.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No, encrypted traffic will limit deep packet inspection usefulness anyway. ISPs should not be allowed to monitor my internet movements.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

Under no circumstances. This leads the way to censorship.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I monitor my connections speed and QoS anyway, my ISP simply needs to guarantee not managing my connection for me.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Philipp Krüger

Name: Robin Sinyard  
Email: [yoshi3@att.net](mailto:yoshi3@att.net)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The only demand that exists is among corporations. They WILL limit our rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is only negative here. Specialized services discriminate against the little guy, the equivalent of what we call in America "Mom and Pop" business.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Again, there is only demand among corporations and their interests. None should be allowed.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not at all.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There should be no interference whatsoever.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive any and all information available. It's only right.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The bottom line here is that net-neutrality is the essence of democracy and freedom itself. If you deny net-neutrality, you deny these things as well.

Kind regards,  
Robin Sinyard

Name: Shaun Stuart  
Email: [shaunjstu@outlook.com](mailto:shaunjstu@outlook.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Shaun Stuart

Name: Ulrike Schneider  
Email: [frau\\_hoppenstedt@web.de](mailto:frau_hoppenstedt@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,  
Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein! Es wäre weniger schlimm, wenn deshalb alles langsamer geht. Persönlichkeitsrechte sind höher zu bewerten als hohe Geschwindigkeiten.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Ulrike Schneider

Name: James Vallejos Retired veteran

Email: [jamesavallejos1@gmail.com](mailto:jamesavallejos1@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I don't understand the problem.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
I don't understand enough to warrant an answer.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
I don't know.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
That's invasion of privacy.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Not really, some times I don't care.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All of the above.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
James Vallejos Retired veteran

Name: Javier Rivera  
Email: [javierocker@aol.com](mailto:javierocker@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Javier Rivera

Name: Dr. Heiko Hartmann

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich sehe für mich nur Nachteile. Gerade, wenn man beispielsweise den Sinn der Pressefreiheit tatsächlich nutzen will, sind Seiten von kleinen alternativen Medien wichtig. Diese zu benachteiligen kommt einer Zensur gleich.

Einem Startup-Unternehmen eine solche Hürde aufzubürden bedeutet zudem eine Verzerrung des Wettbewerbs zugunsten von Großunternehmen. Das wäre ein gutes Tool, um die Reichen noch reicher zu machen.

Das schränkt meine Wahlmöglichkeit ein und schreibt mir indirekt vor, was ich zu wissen und was ich zu kaufen habe.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

So oder so ist es eine Beschneidung. Neue Ideen müssen teuer bezahlt werden, um Spezialdienst zu werden, andernfalls werden sie schlichtweg untergehen.

Das Internet konnte sich als solches nur etablieren, weil es eine solche Klassifizierung NICHT gab.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Die einzigen Dienste, die in meinen Augen Sinn machen würden zu bevorzugen wären Katastrophenschutz und Notfall-Services, also für Dienste, bei denen es um Leben und Tod geht.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Alle Daten sollen gleich behandelt werden. Eine Priorisierung bestimmter Pakete schränkt sowohl meine Nutzungsfreiheit ein als auch ermöglicht es meinem Provider, mich besser zu überwachen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Sollte die Neutralität fallen muss mir mein Provider sehr genau erklären, was er wann und warum bevorzugt.

Weiterhin möchte ich Informationen über die tatsächlichen Geschwindigkeiten, wie viele Nutzer sich die Leitung, an der ich hänge, nutzen et cetera.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Dr. Heiko Hartmann

Name: Richard Fullerton  
Email: [rsfullerton@earthlink.net](mailto:rsfullerton@earthlink.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

"Zero-rating" is an obvious scam which would allow providers to limit free and unrestricted access to all users.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There are no positive impacts for "specialized services" for the general public, such provisions are only to allow the open internet to be controlled by those who would profit from so doing...

Is there a demand for specialised services? Which services should be allowed this special treatment?  
There is no such demand in an open internet!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely NOT.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
The ISP should be forbidden the right to interfere with a subscriber's Internet connection!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of the above

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Richard Fullerton

Name: Wilfried Linse  
Email: [weweali@gmail.com](mailto:weweali@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREK Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Keine Sonderstellung für Spezialdienste!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, auf keinen Fall!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Nur in dem Maße, dass es Vorteile für den Kunden bringt.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Quality-of-Service, Traffic-Management

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Wilfried Linse

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Gerhard Weber

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals. The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Cora Romina Klippert  
Email: [romi.klippert@gmail.com](mailto:romi.klippert@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

A special source of media might be free so that especially poor people get their information only from that source. Now there are lots of free sources of information to choose from if you can pay for data transmission or get it free without discrimination.

Also, newcomers with little capital could not afford to provide zero-rating like big corporations. Entering the market would be harder, monopolies promoted.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

negative:

no investment into infrastructure: you need standard services to be bad so you can charge a good price for special services, more power and market share for corporations, worse chances for innovative newcomers discrimination to quality media that does not belong to a corporation more surveillance against political/ environmental/ human rights/ free press activists, getting molested by bullshit stories that I needed special services for google-cars and operations

pros:

none

Is there a demand for specialised services? Which services should be allowed this special treatment? Did I miss a specialised service? No. I will not in the future, either.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. If they watch my content, everybody can do it and will do it: CIA, FBI, German secret services and governments.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all - this is what net neutrality means. We do have the technical means to provide fast internet for all services, people and places.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Which third parties did receive data about me?

Has there been discrimination of data? Who exactly did profit or pay?

What was the average speed?

What and when did I have the lowest speed?

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Cora Romina Klippert

Name: Michelle Mondragon  
Email: [Mishka.mondragon@gmail.com](mailto:Mishka.mondragon@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Michelle Mondragon

Name: Lynne Holley  
Email: [doggiemommie2@gmail.com](mailto:doggiemommie2@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No deep packet inspection!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Absolutely no throttling or prioritising certain types of online traffic

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Lynne Holley

Name: Simon Carlier  
Email: [simkarlier@gmail.com](mailto:simkarlier@gmail.com)  
Confidential: No

-----  
Madame, Monsieur,

Veillez prendre en consideration cette réponse des parties prenantes en regardant les lignes directrices de la neutralité du Net BEREC.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Open internet is a step towards democracy

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Information services

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No. It is private data!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No throttling.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Salutations,  
Simon Carlier

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Federico Invernizzi

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Joe Buhowsky  
Email: [jbuhowsky@sbcglobal.net](mailto:jbuhowsky@sbcglobal.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Joe Buhowsky

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Thomas Ganskow, Piratenpartei Deutschland

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Thomas Ganskow

Name: jan van galen  
Email: [info@janvangalen.com](mailto:info@janvangalen.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It is only positive when it helps to make the information on the internet more available for everyone. Specialized services that oppose the freedom of internet should not be able to use the internet

Is there a demand for specialised services? Which services should be allowed this special treatment?

I can imagine that certain medical specialized services could be allowed special treatment. For example to get secure and speedy internet connection when serious operations have to be performed by a robot that is controlled elsewhere in the world. That deserves a special uninterrupted service without downfall.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No there is enough checking going on, I want to be completely free on the internet.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only when peoples lives are at stake ISP should be able to control the internet in favor of organizations that try to help the people in need.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would love to know every kind of information that is controlled by the ISP. Now it is unclear to my what information is sent over the internet from my computer to another computer and what information is controlled by the ISP.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
jan van galen

Name: Paul Schultze-Motel

Email: [psm@snafu.de](mailto:psm@snafu.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Die Basisfunktionalität des Internet ist aus meiner Sicht ein öffentlicher Dienst wie das Stromnetz oder die Wasserversorgung. Wenn eine ausreichende Versorgung für alle sichergestellt ist, gibt es keinen Bedarf für zusätzliche "kommerzielle Praktiken".

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Mein Internet-Provider soll überhaupt keine Möglichkeit haben, bestimmte Datenübertragungen zu drosseln oder zu bevorzugen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Paul Schultze-Motel

Name: Sylvain Brosseau  
Email: [slybros@gmail.com](mailto:slybros@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Discrimination is discrimination. Discrimination limits rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Freedom only allows and ensure sane competition and innovation. Specialized services is the same as discriminating, like it or not. You shut freedom and you shut innovation, competition at the same time, not to mention freedom of communication. Whatever happened to providing the people with real open access to communication? Why regulating it beyond forbidding hate or dangerous content? Money, greed. Let's keep it open and as free as can be.

Is there a demand for specialised services? Which services should be allowed this special treatment? Specialized services to everyone equally or none at all. Anyone deserves a suitably fast connection. Slower to some while others are granted faster is not acceptable.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Of course not. It's not their job to police our contents. They are service providing companies with infrastructure allowing the network to exist. They should aim at providing the best service at the lowest cost possible while maintaining a free speech channel as well as a market entry revolving door. Putting more control over it is the opposite of what they should be doing and can't act as a censure authority or traffic controller. As free and open as possible should be communication lines.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference allowed. Not their job to elevate themselves to playing God on our communication lines. Ending up deciding who should get priority is a form of censorship and is communist in essence.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As complete information as necessary and as clear as necessary to understand what my ISP is providing me with.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Sylvain Brosseau

Name: Chris Manley  
Email: [christophermanley@btinternet.com](mailto:christophermanley@btinternet.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No comment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all! No prioitising of web sites should ever be allowed.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Chris Manley

Name: Christopher McGraw  
Email: [ckmcgraw@gmail.com](mailto:ckmcgraw@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Have you checked whether your Internet Service Provider (ISP) gives you clear, understandable and easily available information about its service? If you have, was the information clear enough? Perhaps not that much. BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. Your ISP should tell you concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become less discriminatory simply because the provider is

"transparent" about it in the consumer contract. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP should not be allowed to look at the content and monitor my traffic on the Internet

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not be able to interfere with my Internet connection at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Christopher McGraw

Name: Me, Personally  
Email: [brobert027@gmail.com](mailto:brobert027@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating certainly is in demand - but from only a few users. The purpose of the internet is for the use of all people. Let's keep that purpose alive. It serves the people well. If zero-rating is implemented, my communications are inhibited unless I pay (bribe) to join a fast lane, and even then, it would be discriminately allowed or denied. Such control is not in keeping with the spirit and intentions of the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment? There is no instance where specialised services should be allowed to overshadow the general use of the internet. It serves only the purpose and interests of a very few at the expense of the many. Does anyone have to say out loud how drastically unfair this would be?

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely not. It serves no valid, positive purpose.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It serves no valid, positive purpose for them to do so. Such a scheme is only useful to harass, torment, arbitrarily control and manipulate people and small businesses which are the backbone of our societies. Who, in their right mind, would want to engage upon such activity? No one.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I pay for a service, therefore I am entitled to full disclosure of what I have purchased. That really goes without saying, doesn't it?

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Me, Personally

Name: Robotka Dávid  
Email: [robotkadav@gmail.com](mailto:robotkadav@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Robotka Dávid

See your comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Mag. (FH) Petra Kröling

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Christopher D'Amico  
Email: [mockswede@gmail.com](mailto:mockswede@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
none

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Christopher D'Amico

Name: Carlos Cunha  
Email: [cunhacdownling@yahoo.com](mailto:cunhacdownling@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Zero rating limits competitiveness

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
They would curtail competitiveness which would stifle opportunity.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
never

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All the info.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context. The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory. Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Carlos Cunha

Name: Leslie Mundy  
Email: [mopsmundy@gmail.com](mailto:mopsmundy@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not AT ALL

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Leslie Mundy

Name: Kenny Johnston  
Email: [kenny.j@sky.com](mailto:kenny.j@sky.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It should be up to the end user what they want to see and not an isp. What gives them the right to discriminate, it should be about freedom of choice.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The only positive case I can see here would be for the provision of healthcare or emergency services contacts. Everything else should be treated equally.

Is there a demand for specialised services? Which services should be allowed this special treatment? As previously stated, healthcare and emergency services are the only instances I can see the need for special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

If you've nothing to hide I don't see why not. Provided any information they gain is used for no other purpose than traffic management and is either not stored or kept confidential.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I think they should be allow to throttle the speed of people who are using huge amounts of data at peak times in order to ensure that everyone gets a fair share of the bandwidth.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Average speed, quality of service relative to traffic management etc.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Kenny Johnston

Name: Debra Banes  
Email: [redbanes@gmail.com](mailto:redbanes@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Debra Banes

Name: Ed Miller  
Email: [emiller2@nycap.rr.com](mailto:emiller2@nycap.rr.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ed Miller

Name: Eric Dierks  
Email: [ericcdierks@gmail.com](mailto:ericcdierks@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Eric Dierks

Name: Daniel Demuth  
Email: [daniel.demuth@gmail.com](mailto:daniel.demuth@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Im deutschen Festnetz, mit der derzeitigen Vielzahl an Anbietern und deren Tarifstruktur gibt es absolut keinen Bedarf für ein Zero-Rating. Im Mobilfunk kreieren die Provider den Bedarf an Zero-Rating durch Ihre Tarifstruktur selbst.

Viele Dienste sind mobil aufgrund überteuerter bzw. zu kleiner Datenpakete nicht nutzbar.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Neue/kleine Marktteilnehmer würden ausgebremst werden (indem Sie langsamer/schlechter nutzbar, teurer und somit unattraktiver wären als die marktbeherrschenden Unternehmen die mit hohen finanziellen Mitteln ausgestattet sind.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Auf keinen Fall!. Das wäre als ob die Postbotin immer erst meine Briefe ließt und dann (nach eigenem Ermessen) entscheidet wann/ob Sie diese zustellt. Ich will das mein Internetprovider meine Daten bestmöglich zustellt und nicht erst kategorisiert und dann entscheidet wie er Sie behandelt. Wenn ich Daten versende/anfordere will ich nicht durch den Provider entmündigt werden. Ich erwarte das er meine Daten in der vereinbarten Geschwindigkeit (ersatzweise bestmöglich) zustellt.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht. Wenn ich zum bespiel ein Backup über P2P anstoße oder mir Tutorial-Videos im Stream angucken möchte kann beides für mich extrem wichtig sein. Ich möchte dann nicht von meinem Provider (bzw. einem Algorithmus), der meine akuten Bedürfnisse nicht kennt, entmündigt werden. Mein Provider hat meine Daten (und die anderer) neutral zu behandeln und bestmöglich auf die Reise zu schicken.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte das Provider dazu verpflichtet werden Ihre Dienste nicht lediglich mit "möglicher maximaler Geschwindigkeit bewerben dürfen sondern auch eine garantierte Mindestgeschwindigkeit bzw, Durchschnittsgeschwindigkeit (ermittelt durch ein einheitliches durch die Regulierungsbehörden vorgegebenes verfahren) angeben müssen. Nur so kann ich mündiger Kunde sein und Angebote der verschiedenen Provider miteinander vergleichen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Daniel Demuth

Name: Lars Scheuerlein  
Email: [lars.scheuerlein@gmail.com](mailto:lars.scheuerlein@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no, only lazy ISP's not adjusting their network or backbone

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no, the idea of possible snooping in my data should be illegal

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
they shouldn't - I buy a product, they deliver to my needs, not for companies to buy dedicated parts of my connection

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
only a guarantee to deliver what I pay for

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lars Scheuerlein

Name: Stephen Stoker  
Email: [otnac6@yahoo.com](mailto:otnac6@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Opportunity for one faction to have more time available than another.

Is there a demand for specialised services? Which services should be allowed this special treatment? Possibly some aspects of government.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all of it

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Stephen Stoker

Name: Larry Boatman / EDIGuys.net, LLC

Email: [Larry@larry-boatman.info](mailto:Larry@larry-boatman.info)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for "zero-rating." And, in fact, "zero-rating" would limit my rights as an end-user. Two examples that come to mind in our battle here in the United States are Comcast's blocking of Bit Torrent and Verizon's blocking of text messages from NARAL Pro-Choice America.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't see a demand for specialized services!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

See mostly negatives - specialized services cannot be offered as a replacement for Internet access services. And price discrimination practices which offer access to a limited part of the internet negatively effect consumer's rights, competition, and innovation.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

We monitor speed, QoS, etc., on a minute by minute basis . . . .

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No way!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Larry Boatman / EDIGuys.net, LLC

Name: Gerard DeGuelle  
Email: [soniagerard8@gmail.com](mailto:soniagerard8@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No and no.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Anything but a free and open internet will hurt competition and innovation and limit true free speech.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None. Except for 911 VOIP connections... Maybe.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I'm paying for it so I should have access to how may data is used and tools to validate that I'm getting what I pay for.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Gerard DeGuelle

Name: ionl  
Email: [yionel@gmail.com](mailto:yionel@gmail.com)  
Confidential: No

---

Madame, Monsieur,

Veillez prendre en consideration cette réponse des parties prenantes en regardant les lignes directrices de la neutralité du Net BEREC.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Salutations,  
ionl

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What is your understanding of the term “commercial practices”? Do you think there is a demand for “commercial practices” such as zero-rating, from the end users’ point of view?

no

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

online-journalism

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Karde Wirtz

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
IT Services Ewald Stangl

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Michal Niewiadomski

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Michal Niewiadomski

Name: Tyson Pease  
Email: [tyson.pease@gmail.com](mailto:tyson.pease@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services will hamper future innovations and the existing and invaluable openness of the Internet.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I haven't heard anyone I know express interest in “commercial practices” such as zero-rating. Why would we? These limit users' rights by charging them undue fees for using the internet and then masking certain websites as being free to access and others not.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISPs should not be allowed to monitor my traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management. This is an unneeded invasion of privacy that may slow internet speeds and of itself.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell users the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. Internet providers should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, users should be provided information regarding possible issues arising when they use VoIP applications, such as videos delays or sounds effects. Ultimately, they should have the information they need in order to make reasonable assumptions about the quality of the service available for their particular priorities (gaming, video, etc).

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not be able to interfere with users' Internet connections - for example, throttling or prioritizing certain types of online traffic (video, P2P, etc). An equal and fair internet maintains an open, democratic space for interaction and information-sharing.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Tyson Pease

Name: L. B. Lemos

Email: [elbelemos@yahoo.com](mailto:elbelemos@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Public Services

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not At All

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
L. B. Lemos

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

thomas rajkovats / verein dialog

Is there a demand for specialised services? Which services should be allowed this special treatment?

none

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

specialised services could be used from those who can afford it, to discriminate economic competetors

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

no demand.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Richard Flynn  
Email: [richard.hunts@virgin.net](mailto:richard.hunts@virgin.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
I doubt it.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
"Specialising" can mean fragmentation, and ISP prioritising, to the detriment of the actual user.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I doubt there is a general demand. I can imagine some corporations wanting it, or possibly some social services networks. If it is genuinely in the interests of the people, then it is worth looking into. If it becomes just another cost exercise, then no.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Only if it becomes obvious there is a problem.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All of it, if I request it.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Richard Flynn

Name:

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Where people have limited data, they w may be encouraged to access data that is filtered, edited, annotated, and less appropriate for their circumstances. Knowledge should never be the privilege conferred based on wealth.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

All knowledge is equal. No one website is better or worse, less, or more important than another.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No more than a 10% difference.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
undefined

Name: Christoph Weber  
Email: [cwebersd@gmail.com](mailto:cwebersd@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there is no such demand once people understand ramifications. In addition, zero rating could have a great negative effect on data caps and therefore exclude new and small players from the market.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services help certain large providers, and therefore make it harder for small providers to compete and/or innovate.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, deep packet inspection is only justified for security purposes.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Prioritizing streaming video, especially upload in video conferences and the like is important. Other prioritization is probably unnecessary or even a hindrance.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it, on a continuous basis and graphed.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Christoph Weber

Name: A.L.

Email: [annandee@web.de](mailto:annandee@web.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Keine Spezialdienste.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Bin informiert.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann

nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
A.L.

Name: Jon Singleton  
Email: [photoniqueer@gmail.com](mailto:photoniqueer@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Cultural content, etc

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
I don't know

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
I don't know

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Simple language

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jon Singleton

Name: caroline bischoff  
Email: [carbisch@gmx.de](mailto:carbisch@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
in amerika gibt es keine unterschiede : von anfang an ist dort das internet schnell, für alle bürger + bürgerin  
!!!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

jeder kann sein eigenes interesse verfolgen, indem eine eigene web - seite benutzt oder einen ganzen online - kanal betreibt.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
jeder, der einen spezial - dienst anbietet, stört nicht den rest der nutzer !

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein !

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
in amerika gibt es keine unterschiede : von anfang an ist dort das internet schnell, für alle bürger + bürgerin  
!!!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

ich will keinen unterschied zu dem maximum an erreichbaren, siehe USA !

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
caroline bischoff

Name: Vinayak  
Email: [vinayakeha@gmail.com](mailto:vinayakeha@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Vinayak

Name: Mattis Deutch  
Email: [mattisdeutch@zoho.com](mailto:mattisdeutch@zoho.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely not. All traffic should be the same to the ISP.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
I don't think the ISP should be able to prioritize certain kinds of traffic.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mattis Deutch

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Cyrus Kube

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

None

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

It will destroy many Initiative with less money

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

No, I don't want to let the ISP choose, what's cheaper or not

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No, this is the beginning of censorship

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

Nil

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

all of it

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Mark Stamer  
Email: [markstamer@gmx.de](mailto:markstamer@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein. In meinen Inhalten hat er nichts zu suchen. Das Netz sollte so ausgebaut werden, dass ein so geartetes Datenmanagement nicht notwendig ist, weil es Dank angemessen schnelle Leitungen keine Kapazitätsengpässe gibt.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Sehr gerne alle genannten Beispiele: Geschwindigkeit, Quality-of-Service und Traffic Management. Denn bisher sind die Angaben zu Geschwindigkeit äußerst schwammig und man muss sich durch eigene Messungen behelfen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist

besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Mit freundlichen Grüßen,  
Dr.-Ing. Mark Stamer

Name: Sandra Thompson  
Email: [bsand@bendbroadband.com](mailto:bsand@bendbroadband.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

These "commercial practices" make the internet a discriminatory business, not an open platform. They are contrary to everything the internet and equal rights stand for.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It could be a death knell for the expansive internet as we know and envision it.

Is there a demand for specialised services? Which services should be allowed this special treatment? Maybe the question would be better addressed not as "is there demand," as there will always be someone(s) who want something. Maybe a better perspective would be what best serves all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sandra Thompson

Name: Thomas Strothjohann  
Email: [Thomas.Strothjohann@online.de](mailto:Thomas.Strothjohann@online.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich sehe keinen. Alles, was den Einen (Z.B. große Firmen) bevorzugt, benachteiligt automatisch Andere!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

(Bezahlte) Werbung im weitesten Sinne wird bevorzugt, andere Informationen benachteiligt bis zur faktischen Zensur.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Nein!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN!!!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
0,00 %!!!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich bekomme schon alles, was ich benötige. Weitere "Dienste" in der Richtung brauche ich nicht.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Thomas Strothjohann

Name: Paula Brendel

Email: [kelatenata@gmx.net](mailto:kelatenata@gmx.net)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar keine Beeinflussung

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Quality of Service, Übertragungsraten, Traffic Management

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

mit freundlichen Grüßen,  
Paula Brendel

Name: Jonathan Stark  
Email: [jonny.stark@aad.gov.au](mailto:jonny.stark@aad.gov.au)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services cannot be offered as a replacement for Internet access services. Price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for "commercial practices" such as zero-rating. These limit our rights as end-users. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISP should provide concrete examples on how they manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. ISPs should state the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. Internet providers should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. Information regarding possible issues arising when using VoIP applications, such as videos delays or sounds effects should be provided. We should have the information required in order to make reasonable assumptions about the quality of the service available for particular priorities (gaming, video, etc).

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jonathan Stark

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Christoph Mach

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
clearly: no

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
A few years ago, I experienced first "modifications" to my traffic. It was a file for a college-exercise which was manipulated. For this reason I was not able to complete the exercise. Since this happened to me, I disagree to all "interferences" that ISP could do to my data.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Receive from who? I would like to know some detailed information, but I would not like to rely on information given by the provider. If possible, it should be somehow "independent evaluated"

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.  
Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Samia

Email: [samiamerder2003@gmail.com](mailto:samiamerder2003@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, I don't think so.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not interfere at all in my opinion.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Samia

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Georg Steinfelder

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Richard Willis  
Email: [trwilhein@gmail.com](mailto:trwilhein@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Richard Willis

Name: Sascha Ludwig  
Email: [sascha@rc5.de](mailto:sascha@rc5.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Es gibt keinen Bedarf für Zero-Rating. Ich werde dann z.B. gezwungen Zero-Rated Services zu benutzen weil andere unabhängige Informationen möglicherweise schlechter zu erreichen sind.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Durch Spezialdienste werden unabhängige und freie Informationen werden schwerer zugänglich. Das muss verhindert werden!

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

provider-unabhängige (VoIP-)Telefonie, provider-unabhängiges Videostreaming

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein. Zum allgemeinen managen des Datenverkehrs ist keine DPI notwendig! Alle Datenpakete sollten gleich behandelt werden.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
garnicht!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Zugangsdaten um diesen auch mit anderen Geräten (Routern, Modems) nutzen zu können.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Sascha Ludwig

Name: Lawrence Tetenbaum

Email: [emtlarry@aol.com](mailto:emtlarry@aol.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Lawrence Tetenbaum

Name: ShieldsCW

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Emergency services, police, fire, medical, etc. Educational services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Innovation will be futile, as everyone seeks only to save bandwidth with established companies.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It inhibits smaller start ups from gaining market share, since the established brands will always have an advantage.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None of their business what I do.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I don't need any information about my services, and my ISP doesn't need any information about me. There are websites already in existence that can give me whatever statistics I want.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Only if I can monitor the traffic of the management and executives of every ISP.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
ShieldsCW

Name: Lynne Rooney-Katsma

Email: [laronkat@gmail.com](mailto:laronkat@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lynne Rooney-Katsma

Name: Thorbjørn Steen  
Email: [therubberduckmail@gmail.com](mailto:therubberduckmail@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only as far as is necessary for the smooth flow of information

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Thorbjørn Steen

Name: Gudrun Rosenberger, nemea goddess center

Email: [gudrun\\_rosenberger@gmx.at](mailto:gudrun_rosenberger@gmx.at)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

i just want it to be save!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Gudrun Rosenberger, nemea goddess center

Name: Zachary Ress / Fight for the Future

Email: [zackress7@gmail.com](mailto:zackress7@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
There is no demand for specialized services. No service should be arbitrarily determined more necessary to have a better connection than another.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

All positive, keeping the internet open allows for everyone to roam freely with their ideas flourishing and competitiveness rampant.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no consumer demand for zero-rating. Commercial practices such as these only exist to make the companies more money and make our internet slower and worse, limiting the impact the little guy can have on the internet.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know what is being studied about my own habits so that I can make them stop looking into my privacy.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Zachary Ress / Fight for the Future

Name: Adrian Cochrane

Email: [alcinnz@eml.cc](mailto:alcinnz@eml.cc)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I think zero-rating has only a very small, if any, impact on a customer's decision of what ISP to use, but if I had a zero-rated internet service it might influence my decision of what sites to use (which is certainly the point). This harms my right to choose the best (privacy-respecting) services, a right the free-market is based on.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

All an ISP needs to do is route Internet traffic where I and other customers where we want it to go. They absolutely shouldn't do anything more than that as they 1) risks messing up Internet content, 2) invades my privacy, and/or 3) hinders competition between online services - and if the ISP charges enough they don't need to.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I'm fine with ISPs throttling or slowing down traffic as long as they don't specifically target certain sites. For example I object to ISPs prioritising YouTube over a new competitor, but if content is delivered over a protocol like UDP which reduces overhead that's a good indication that it should be prioritised. Also if an ISP needs to throttle connections due to load, it should do it to all connections in the area.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Adrian Cochrane

Name: Frederick Lucies  
Email: [flucies@gmail.com](mailto:flucies@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. Corporations already have too much power

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No one's content should be "Prioritized" - the connection is something that I pay for and I should not be inhibited in any way.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Frederick Lucies

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Frank Wagener

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Uwe Mörtel  
Email: [u.moertel@web.de](mailto:u.moertel@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein. Ich will selbst entscheiden. Wenn ich einen Suchbegriff eingebe, dann möchte ich alle Einträge, nicht nur die, für die bezahlt wurde.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

es können gezieht dienste abgeschaltet oder beschläunigt werden, egal ob ich das will oder nicht.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?  
weiß nicht

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein. Es geht niemanden etwas an, wo ich unterwegs bin. Ich möchte auch keine chinesischen oder türkischen Verhältnisse der Bevormundung.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
möglichst viele

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Uwe Mörtel

Name: Laura Herndon  
Email: [laura.herndon@disney.com](mailto:laura.herndon@disney.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

zero

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Laura Herndon

Name: Mercurius Stone  
Email: [mercurius.stone@btinternet.com](mailto:mercurius.stone@btinternet.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Definitely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not interfere with my connection. I pay them very good money monthly and I expect free and open service in return.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I know nothing at the moment about the service I pay for. I'd like easy access to such information, eg speed, traffic management, access that is being blocked and why.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mercurius Stone

Name: Lida Stevenson  
Email: [lida.durant@gmail.com](mailto:lida.durant@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Lida Stevenson

Name: Willem  
Email: [wskoenen@hotmail.com](mailto:wskoenen@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Willem

Name: ARTURO ALVAREZ  
Email: [contactart@msn.com](mailto:contactart@msn.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

YES

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NOT AT ALL

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
ARTURO ALVAREZ

Name: Wojciech Rowinski  
Email: [grawojro@charter.net](mailto:grawojro@charter.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Wojciech Rowinski

Name: John Bradshaw  
Email: [jbradshaw10@att.net](mailto:jbradshaw10@att.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
John Bradshaw

Name: Heike Habel  
Email: [zoracat@gmx.de](mailto:zoracat@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Heike Habel

Name: Lynda Leibowitz  
Email: [maialynda@yahoo.com](mailto:maialynda@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I have an online shop. This would severely limit my ability to conduct business.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

This would stifle innovation and competition from startups.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I disagree

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Lynda Leibowitz

Name: lewis c taishoff  
Email: [ltashoff@netscape.net](mailto:ltashoff@netscape.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Online services must be free and competitive. Strangleholds should be barred.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Stifle innovation, permit price-gouging, destroy the free internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No. None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

What does "traffic management" mean? If it means speedy transmission, yes. If it means spying, accumulating information to sell to junk e-mailers, NO.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
lewis c taishoff

Name: Florian Berger  
Email: [florian.berger@posteo.de](mailto:florian.berger@posteo.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Ich sehe keinen Bedarf für kommerzielle Praktiken.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Die Einrichtung von Spezialdiensten hat meiner Meinung nach hinter einer allgemeinen Verbesserung der Internet-Infrastruktur und -geschwindigkeit zurückzustehen. Eine Sonderstellung wäre allenfalls für Dienste, von denen Leib und Leben von Menschen abhängen, denkbar.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
In äußerst engen Grenzen, etwa wenn der allgemeine Betrieb der Infrastruktur nach neutraler, externer und unabhängiger Expertise ohne den Eingriff gefährdet wäre. Ein solcher Fall wären DDOS-Attacken.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Ich möchte, dass mir sämtliche technischen Details und Parameter, auch tagesaktuell, offengelegt werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Florian Berger

Name: Chrissi Taylor  
Email: [chrissitaylor@gmail.com](mailto:chrissitaylor@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Only from companies that want to make more money, from what I can tell anyway. No one should be allowed special treatment except maybe some form of online emergency service dispatch.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The only positive I can think of is that people would be able to access certain websites a lot faster or at a higher quality, but it's at the detriment of other websites, companies etc. It will inevitably stifle important topics or information and make certain websites impossible to access. The negatives FAR outweigh the positives, even before we start talking about personal freedoms.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The only benefit of zero rating seems to be big companies getting bigger whilst new companies are left in the void.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I don't think it should be able to at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much as possible.

I am already with a "third party" ISP and my service is easily understood, well presented, transparent and most importantly informative.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Chrissi Taylor

Name: Adam Versenyi  
Email: [glideradam@gmail.com](mailto:glideradam@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Adam Versenyi

Name: James Bachman  
Email: [jbachman1190@sbcglobal.net](mailto:jbachman1190@sbcglobal.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any commercial practices which limit user’s rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available. ISPs should provide information on quality of services parameters in very clear language in all contracts.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
James Bachman

Name: Ralf Hartung  
Email: [ralf.hartung@gmx.de](mailto:ralf.hartung@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Kein Dienst sollte Sonderstellungen bekommen. Wie schon geschrieben, sollte endlich die Bandbreite auf ein ausreichendes Mass ausgebaut werden.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Grundsätzlich habe ich nichts zu verheimlichen. ABER: Jedwede Form der Überwachung, Drosselung oder Gängelung KANN per se zur "Schere im Kopf" führen. Ich kenne dies noch aus der DDR und möchte es kein zweites mal erleben.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht. Deutschland ist ohnehin Internet-Entwicklungsland. Die Provider sollten endlich gezwungen werden, ausreichend Bandbreite für alle und überall zur Verfügung zu stellen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte EINDEUTIG, KLAR UND VERSTÄNDLICH alle Informationen vom Provider bekommen, die mir ermöglichen zu entscheiden, ob er das Geld wert ist, welches er verlangt.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass

Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Ralf Hartung

Name: Joshua  
Email: [sylvester.davidson@gmail.com](mailto:sylvester.davidson@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Joshua

Name: Sean McElholm  
Email: [seanmcelholm@gmail.com](mailto:seanmcelholm@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Never

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Sean McElholm

Name: A. van Lieshout

Email: [rootsaction@terrible.demon.nl](mailto:rootsaction@terrible.demon.nl)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? None that I can think of, and if there are they should not receive special treatment.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If a provider decides some news sources will cost you and others will not, the provider can steer opinions in every direction it wants by offering their preferred sources for free, while putting up pay barriers for others.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NOT! It's ME who defines what is important and what is not, not them.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No way! It's nobody's business what I or anyone else is doing on the Internet. The ISP's task is to pass the bits, no more, no less.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
A. van Lieshout

Name: Ed Hyde  
Email: [r2@epicpc.net](mailto:r2@epicpc.net)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ed Hyde

Name: Trevor pesout  
Email: [toverr@Gmail.com](mailto:toverr@Gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All information

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Trevor pesout

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Sascha Warner

If every service is treated equally, the general connection is quite good. Thus no special treatment is necessary.

Small startups are penalized because they cannot afford high fees required. A very good real life example of this already is Deutsche Telekom's attitude for peering. See the youtube dilemma.

This will limit the diversity of information because the sites you get for free will be preferred. This increases pressure on smaller sites and will lead to their closure, thus losing information. Losing information and diversity for me is a loss of freedom.

I do not want a preselection of those paying my ISP best. I want to be free to choose myself as I have done before.

Traffic management is only necessary if the ISP severely messed something up. Such as not having enough bandwidth or too much buffering (see bufferbloat). Also modern routers including self built ones include trafficshaping already.

Deep packet inspection is just one way of getting more data from me which is then used against me. Also see "Fernmeldegeheimnis".

It is not my ISP's task to monitor me. I pay them for delivering IP packets. Whatever might be inside is of no concern to my ISP. Transferring IP packets is his sole and only purpose.

I can measure these myself. I do not want any information regarding this from my ISP, because to do so, he has to measure and capture data first, which interferes with the "Fernmeldegeheimnis".

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in

increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Tony Segura  
Email: [segura2112@yahoo.com](mailto:segura2112@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It shouldn't.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tony Segura

Name: Liv Singh  
Email: [livsingh@gmail.com](mailto:livsingh@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No, confidentiality should be respected.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They should not interfere with my internet connection .

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Liv Singh

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Lotta Lille, citizen, Sweden

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Necessary information from authorities - emergency messages.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Knowledge is building on knowledge, as is cultural expressions building on culture (think of how many plays/books/poems count their origin in Homer). Sharing is caring, and two brains think more than one. Not to mention what thousands of brains may think of. To find a cure for cancer, zikavirus or what-not.

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

There sure is a demand, but I don't see any reason for "commercial practices" to be used on highways, so why on the internet? The net is supposed to be an infrastructure as essential as roads, water or phone, and then it should not be hi-jacked by "commercial practices". Especially as the net is continually being seen, by authorities, as particularly important when it comes to defending civil society in times of crisis.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

It should not.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Digital Deployment  
Email: [mac@digitaldeployment.com](mailto:mac@digitaldeployment.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no such demand from consumers. Allowing zero-rating just gives the opportunities for ISPs to gouge prices if people go over the allotted data... this creates a chilling effect on any non zero-rated site.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Network neutrality is especially essential in the world of startups and small business. As you can imagine, neither AT&T nor Comcast were probably very excited about sites like Hulu or Netflix entering the marketplace. But thanks to neutrality, users are able to access them at the same speed as everything else. If Hulu or Netflix had to pay Comcast (and get their blessing), they might never have come to be. Or they might have been only able to pay Comcast but not AT&T for “premium” speeds, leaving the services reliably available to some users but not others. Once again, cable providers would be choosing which programs we see. The freedoms and competition sparked by the internet would be extinguished.

From my Op/Ed in Comstocks Magazine.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like BEREC to report to consumers all types of information it deems necessary.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Digital Deployment

Name: Todd Spahr  
Email: [teddspore@yahoo.com](mailto:teddspore@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No restrictions

Is there a demand for specialised services? Which services should be allowed this special treatment?  
none

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

0

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Full transparency using easily understandable terms and rating system.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Todd Spahr

Name: Leonard Stiller  
Email: [lds064863@gmail.com](mailto:lds064863@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Leonard Stiller

Name: Ronald Matthews  
Email: [marangyi@gmail.com](mailto:marangyi@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not be allowed to interfere with my Internet connection in any way.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. Your ISP should tell you concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become

less discriminatory simply because the provider is "transparent" about it in the consumer contract. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ronald Matthews

Name: Sean Goggin/Irish citizen

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It is mostly used by companies to reduce the cost of services they own stakes in and make competing services more expensive.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

It should be restricted and anonymized if available at all.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

no

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Sean Goggin/Irish citizen

Name: nusheen sahebi  
Email: [dlivedivine@gmail.com](mailto:dlivedivine@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
nusheen sahebi

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Henrik Halbritter

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

It should not be allowed

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According

to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Rafael Pla-Lopez  
Email: [rafael\\_pla@alteritat.net](mailto:rafael_pla@alteritat.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There isn't such demand. Our right must not be limited.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If specialised services violate Net Neutrality, their impact would be negative

Is there a demand for specialised services? Which services should be allowed this special treatment?  
On services which not violate Net Neutrality

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, privacy have to be respected

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Nothing

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I like receive information about speed, quality and neutrality

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Rafael Pla-Lopez

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:  
Quentin Marollaud

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Mary Ann Baier  
Email: [maturtle@gmail.com](mailto:maturtle@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mary Ann Baier

Name: David Seyboldt  
Email: [david.seyboldt@web.de](mailto:david.seyboldt@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,  
Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
David Seyboldt

Name: profi.com AG

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
No.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
profi.com AG

Name: Werner Ottenjann  
Email: [wo@wernerottenjann.de](mailto:wo@wernerottenjann.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Es gibt keinen Bedarf für "kommerzielle" Praktiken! Meine Rechte auf freien Zugang zum Internet werden eingeschränkt, so geht das nicht!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Beeinträchtigung des Internets, preisdiskriminierende Angebote!

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
M.E. gib es keinen Bedarf für Spezialdienste. Die Bedarfsträger für Spezialanwendungen verfügen über eigene, in sich geschlossene Netze!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen.

Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Werner Ottenjann

Name: Bernd Schuller  
Email: [paessefahrer@web.de](mailto:paessefahrer@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,  
Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
ÜBERHAUPT NICHT

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Bernd Schuller

Name: Tommy Söderlund  
Email: [tsoderlu@gmail.com](mailto:tsoderlu@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating is not equality and not in the spirit of net neutrality. There are no real justifiable reasons for data limits in the first place and the whole practice of increasingly implementing those is immoral. Thus zero ratings should not be a matter of contention in the first place.. however, there could be very cheap connections which specifically allows being less prioritized and having a monthly limit but should be duly advertized as such.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Fast lane practices are not only dangerous to freedoms and net neutrality but perhaps even more importantly potentially introduces a new dangerous element in stock-market trading. The company using robots having the fastest lane wins and buys/sells first, this is probably abusable introducing another unfair advantage in markets.

Is there a demand for specialised services? Which services should be allowed this special treatment? Perhaps for the https protocol for the availability of banking/payment services and such. Introducing fast lane for market bidding is dangerous however as previously stated. Throttling could be allowed if network load is demonstrably temporarily too high, deep packet inspection should not be allowed without heavy regulation as previously stated. ISP should be ready to handle the loads > 95% of the time.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. If need be only the protocol used. Any deeper inspection of packets amounts to the same breach of privacy/freedom as opening your physical mail/packages, no more no less.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No more than necessary to maintain network stability. There are legitimate uses for P2P, VPN and encrypted communication for instance and getting the speed offered by the ISP is the right of the consumer no matter the service / protocol used. IF network load is 100% and other service really are being affected THEN it could be allowed to prioritize for instance http/https over p2p. Packet inspection however on any level above filtering from the type of protocol used should not be allowed without court order and in cooperation with law enforcement since this amounts to a breach of privacy/freedom on the same level as of opening people's postage packages. Period.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Basically real speed, quality of service or how your traffic is managed should be made clear for the user in a short, simple and understandable description of the service providing links to more information about it. Currently, throttling and even packet dropping discriminating certain

traffic/protocols seems to be common too and are not sufficiently noticeably stated on pages / agreements at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tommy Söderlund

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Alexander Weiß

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Even car producers say that they don't need specialised services for their navigation. Until now, no company NEEDS special services, not even hospitals, fire departments or police stations. Even if they need it in the future, a better way is to build new infrastructure for fast internet than to make everyone pay for fast lanes.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Right now, I don't see positive impacts. Most companies don't want that and of course most customers either. They have to pay more for special services and only big companies can afford to buy such fast lanes. For the customer it means that there is the possibility that services they use every day will be limited in speed and comfort. Most of all, it's the industry who decides what should be a special service and what not.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

Of course not! it should be illegal to monitor the content of my traffic. It's private and it should be like that. I mean we live in a time where we get monitored all day and most people change their behaviour instead of demonstrating for more privacy. That is a very bad evolution and has to stop.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

The internet was born free and should stay like that. It's a basic principle and there is no reason to change that. Most arguments for a throttling is nonsense and hides the moneymaking reasons behind it. So the ISP shouldn't be able to throttle at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
A concerned citizen

Name: Peter Behrendt  
Email: [behrendt-muc@t-online.de](mailto:behrendt-muc@t-online.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Kommerzielle Praktiken verleiten nur zu mißbräuchlichen Handlungen der Industrie, wie aus vielen Beispielen ersichtlich. Kommt die Politik der Industrie entgegen, wie z. B. beim "Minijob", dann entsteht daraus gewerbsmäßiger Mißbrauch dieser Regel, die eigentlich "nur Spitzenabbau" bewirken sollte!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
Gerechtigkeit - Gleichbehandlung - Zufriedenheit!

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein, jeder hat sich an Gleichbehandlung zu halten.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, meine Privatsphäre ist mir wichtiger!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Keine zusätzlichen Drosselungen, da es bereits genügend vorhandene Auslastungs-Drosselungen gibt, die erst einmal beseitigt werden müssen!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Reale und nachweisliche Geschwindigkeitskontrolle, damit die Preis-Leistungssituation nachvollziehbar ist.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Peter Behrendt

Name: Duncan Duchov  
Email: [dduchov@yahoo.com](mailto:dduchov@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Only among commercial providers, not consumers. Zero rating, for example, undermines consumers and startups by limiting their ability to distribute services and products.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Prejudicial use of any limited resource necessarily favors one group or groups while neglecting another or others. In the case of the Internet, "fast lanes" would benefit the "haves" -- e.g., large corporations -- while limiting the "have-nots" -- e.g., consumers, startups -- from engaging in communication, competition, and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Yes: emergency services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All information that permits consumers to make educated choices about which providers to use (e.g., connection speeds, traffic management policies) should be given to them by providers -- and given to them in clear language devoid of technical and legal jargon.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Duncan Duchov

Name: William J Hurless  
Email: [will1384@gmail.com](mailto:will1384@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Its very likely that a "zero-rating" would hurt audio and video streaming services that are just starting out, and would make a walled garden.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, nobody should have the ability to monitor traffic on the Internet, the only exception might be if a warrant is issued, and with a very limited scope.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No ISP should ever interfere with a connection in any way.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know about more about privacy issues, retention of log files, types of information in stored log files, who has access to log files, maybe possible hacking attempts against an account.

But traffic management, average speed, quality service at different times of the day, data caps, and any information on service limits are also very important.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
William J Hurless

Name: Zachary Pieper  
Email: [zack\\_pieper@yahoo.com](mailto:zack_pieper@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Only life saving services should even get consideration for something like this.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would make the internet "pay to play" so only companies that had large sums of capital could utilize it fully.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ALL OF IT

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none for any reason

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Zachary Pieper

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Till Lesser

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Probably there will be a demand, but these services should be developed in a separated individual infrastructure.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: fabio massimo antonucci  
Email: [fabiom.antonucci@gmail.com](mailto:fabiom.antonucci@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Very little

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All the above

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
fabio massimo antonucci

Name: Chris Heintz  
Email: [C.heintz.357@gmail.com](mailto:C.heintz.357@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is always a demand for crony capitalism and it will always limit end users from using small new sources and give large established companies an unreasonable and unfair advantage over newer ones.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all, aside from limited QOS rate limits imposed due to network load on all customers on a network equally. The minimum speed should be contractually enforceable on the ISP by the customer.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Chris Heintz

Name: Ellen Epstein  
Email: [ellenepstein@yahoo.com](mailto:ellenepstein@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
none

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ellen Epstein

Name: Michael D. Lowe

Email: [mlowe@ufl.edu](mailto:mlowe@ufl.edu)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Yes new services would be a great disadvantage

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Michael D. Lowe

Name: Thore Hendrikson  
Email: [t.hendrikson@icloud.com](mailto:t.hendrikson@icloud.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Mir ist kein Bedarf für "kommerzielle Praktiken" bekannt. Jedoch bin ich davon überzeugt, dass etwaige Praktiken einzelne Rechte als Endverbraucher beschränken könnte.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Spezialdienste könnte die zukünftige Offenheit des Internets erheblich einschränken. Durch Spezialdienste könnten sich große bestehende Dienste von neuen Startups abgrenzen und ihnen den Einstieg in eine etablierte Internet-Ordnung erheblich erschweren, wenn nicht sogar verwehren. Da große Dienstanbieter viel mehr Kapital haben und durchaus entsprechend Einfluss auf ISPs, besteht die Gefahr, dass sie selbst als Spezialdienste deklariert werden und so die Innovation ausbremsen, da sich Startups den Status als Spezialdienst womöglich nicht leisten können und so bereits zu Beginn zum Scheitern verurteilt werden.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?

Die einzige vorstellbare Berechtigung zum Spezialdienst und nur unter sehr hohen, strikten Auflagen wären meines Erachtens, medizinische Eingriffe die übers Internet durchgeführt würden. Dieser Spezialdienst sollte aber nicht dem Allgemeinbürger zur Verfügung stehen, sondern ausschließlich von öffentlichen Einrichtungen wie z.B.: Krankenhäusern etc. buchbar sein.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Meiner Meinung nach ist der von mir produzierte Datenverkehr streng persönlich und sollte unter die Datenschutzregulierungen für personenbezogene Daten fallen.

In einem freien, offenen und leistungsfähigen Netz (Internet) ist eine Inspektion eines Datenpaketes/Datenverkehrs zum besseren Management nicht notwendig, da bei einer Gleichbehandlung aller Pakete keine Diskriminierung und Benachteiligung einzelner Dienste vorliegen kann. Sollte das Internet trotz Gleichbehandlung aller Pakete an etwaige (Kapazitäts-)Grenzen stoßen, so liegt das an den weniger als unzureichenden Investitionen und der unüberlegten Förderung von bereits heute veralteten Technologien (z.B.: die Förderung und Ausbau von Vectoring etc.).

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Mein Internet-Provider sollte einzig und allein dazu befähigt sein, mir einen ungedrosselten, ungefilterten und überwachungsfreien Internet-Anschluss zur Verfügung zu stellen. Jede Möglichkeit einzelne Dienste zu bevorzugen oder zu behindern sollte vollständig und ohne Ausnahme verboten werden. Auch Internet-Anschlüsse mit begrenztem High-Speed-Volumen sollten jedem ISP verboten werden.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Garantieren Mindestdurchsatz (Garantierte Internetbandbreite) [Geschwindigkeit], Etwaiger Maximaldurchsatz (Internetbandbreite) [Geschwindigkeit], durchschnittlicher Internetdurchsatz meines Internetanschlusses [Geschwindigkeit]. Genaue und exakte Erklärung, wie der ISP Filesharing von normalen Internetdiensten unterscheidet. (Einige Anschlüsse drosseln die Leitung nach Erreichen eines Filesharing Volumens von x GB pro Tag) Wie steht mein Vertrag (Geschwindigkeit) in Relation zur durchschnittlichen Bandbreite die in Deutschland/Europa/International angeboten wird. Wie zukunftssicher ist mein Vertrag bzgl. Anstieg des Datenvolumens über die Zeit. Wichtig ist zudem die Angabe einer durchschnittlichen Latenz und die Angabe einer garantierten maximalen Latenz von/in Internetdiensten.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbare Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Diensteanbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu allen Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystems.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider

einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Mit freundlichen Grüßen,  
Thore Hendrikson

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

From my point of view are commercial practices efforts to gain advantage over other marketeers.

My name/organisation:

Georg Peters

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

There are no services / products known to me, that some how justify so called "specialised" services based on the internet protocol TCP/IP.

The only reason for such services were profit optimization strategies of ISPs by offering different type of products (fast lane, slow lane / price discrimination).

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

Simply NO! From a information security point of view (my profession), it make no sense to rely critical services on unreliable protocols like IP.

IP is a bad choice for time critical applications. You allways need additional protocolls to create more reliability or choose a real direct line / virtual circuit connection.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Creating artificial barriers in a market allways lead into less competition and higher barriers for the market entry till up to new monopolys. That is the opposite of the success factors of an open Internet.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

Zero-rating one service like music streaming of one provider eliminates the market of music streaming. This leads into higher prices of music streaming ("producer surplus" in monopoly therory).

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

Yes for the traffic as traffic, No for analysing content. In protocol

speech: Yes they may analyse IP header, but must not analyse higher protocols or content.

It is like the traditional post office. They read the envelope, but must not open and check the content of the letter.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

Not at all. If I need to prioritise traffic, that means my line to the provider is full. This can be managed by my one devices (e.g. home router). The network of my provider must not be full, because he sold the bandwidth to me! Of course do the provider over provisioning (like airlines), because they expect (calculated) that not all customers will use all bandwidth. If this happened, then the market should find a provider, who is not over provisioning so much. If we have a monopoly / oligopoly, the regulatory authority must step in.

Provider sell bandwidth, they should have enough or sell not so much or rise prices, but not create new markets by reducing bandwidth.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Yes, absolutely. In a private and a business way. Why should my data be discriminate from others data and transported in an other way? This opens a gate to broadmiss use of communication ways, what allready happened in past.

What would you consider to be "reasonable" traffic management measures?

How can "unreasonable" traffic management measures affect you as a users? Please, provide examples.

Reasonable traffic management (prioritising traffic) can only happen on the last mile between my ISP and me, so I can structure my bandwidth. Why should my paid traffic be deprotised against traffic from other users?

What information would you need to make an informed decision about your Internet connection?

For example: traffic management; commercial practices or technical conditions?

Bandwidth, connection protocol and credentials. I expect to have no management and no commercial practices in place.

What information would you like to receive about the speed of your Internet connection?

Bandwidth and maybe latency to reference points in the Internet.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

This is a difficult question, because the average Internet user does not understand most of these parameters. In addition this parameters changes over the day, week, events and destinations. But there is on thing, that must be described: The ISPs should explaine, how the sold bandwidth is shared with other users.

A DSL is usually not shared, a cabel connection is shared with others in your street and a mobile connection is shared with others in the area. A 100MBit/s LTE connection ist not the same as a 100MBit/s DSL connection.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Georg Peters

Name: Mathias Hartinger  
Email: [Mathias.Hartinger@live.de](mailto:Mathias.Hartinger@live.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Mathias Hartinger

Name: Bill Hutchinson

Email: [medicinehorse\\_2000\\_1999@yahoo.com](mailto:medicinehorse_2000_1999@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

So-called "Zero-rating" is a scam. It should not be allowed.

Is there a demand for specialised services? Which services should be allowed this special treatment? Specialized services, \*maybe\*....

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

How much time do I have?

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ALL of it!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NOT at ALL!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Bill Hutchinson

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Joseph McGuire

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Sanya K. Culp  
Email: [kraigthec@gmail.com](mailto:kraigthec@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? There really is no demand for specialised services for us consumers in the US. Those I have spoken to who live in nations within the EU and the UK both don't have a specific demand for specialized services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It could provide means of censorship. If ISPs want to favor their own interests and services and affiliates, it's very likely that could extend to things they want you to see politically, socially, and so on.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Many people don't want this. They want to be able to make their own choices on what they view online - say, Netflix or Amazon Video. However, US ISPs like Comcast favor these less, and throttle their own internet video providers (like Hulu, which Comcast has a stake on, or their own internal internet video/TV offerings). People should be allowed to have fair, fast access to the content they want, and, things like Comcast or Time Warner/Charter does like that, I want to jump to another ISP - alas I can't because Time Warner/Charter and Comcast both own a good chunk of ISP/TV markets here in the US.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I think they should focus on making everything as fast and as fair as possible. Instead of throttling certain internet data or data types, they should be focusing on bettering the infrastructure in your jurisdictions, upgrading old cable to fibre optic, and allowing cooperation with companies to work and offer fair reasonable competition and prices. Here in the US, that's a major problem of our own - companies will not allow any overlap, and monopolies are in many markets, and their infrastructure is unreliable, and outages are common in some areas. If the EU takes notice of this, this is not good for the consumer, and can also hurt the government - say in the instance of security of your nations, communications could be hindered by a bad infrastructure.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. I don't believe the ISP should be allowed to monitor any traffic, unless with a warrant through the jurisdictions involved for dangerous criminal behaviors.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All the information that is possible.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sanya K. Culp

Name: CLYDE-LINDA MATTHEWS

Email: [Clydelyn28@yahoo.com](mailto:Clydelyn28@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
NONE

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO!!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ZERO

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,

CLYDE-LINDA MATTHEWS

Name: andreas moosdorf  
Email: [a\\_mos@hotmail.de](mailto:a_mos@hotmail.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Überwachung!

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Kein Bedarf !

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein !

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
mein Provider soll sich raushalten !

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Alle Informationen die mich betreffen!

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
andreas moosdorf

Name: Jan Kasal  
Email: [vevajanka@hotmail.com](mailto:vevajanka@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial practices should not restrict end users. No priority to companies who would be able to pay more for the bandwidth.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

"Fast lane" is no good for regular users.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jan Kasal

Name: Julian Scherrer  
Email: [julianscherrer@web.de](mailto:julianscherrer@web.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No?!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Quite low

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Julian Scherrer

Dear Sir or Madam,

please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Florian Reichl

Is there a demand for specialised services? Which services should be allowed this special treatment?

It is the end customer who pays for his or her bandwidth. One should get what one has paid for.

Telecom companies should not have incentives to lower the speed of internet access.

Perhaps we should change the billing and pay for Internet usage by volume. That does not have to be expensive. For example the German company Hetzner sells Internet traffic for 1.39 € per terabyte.

Zero-rating distorts the market and adds barriers to new market entries. Thus it stifles innovation and competition which is no good for customers and no good for the competitiveness of Europe as a whole.

I don't think it is necessary and I am afraid of abuse of it for anti competitive behaviour of the ISP.

Let's pay a fair volume price like 1.50 € / terabyte.

Since I do not want traffic management I would not need information about it.

All information about the internet connections and tariffs should be collected in a centralized data base that is accessible to users so that they can make an informed decision when choosing an ISP.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Florian Reichl

Name: William Jacobs / First Stop Tech

Email: [williamjacobs@gmail.com](mailto:williamjacobs@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Emergency preparedness? 911? Weather disasters?

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Better products could fail to be adopted because inferior tools are free of charge through market domination and loss-leading. Example: Internet explorer's destruction of Netscape web browser. IE led the pack despite its lack of technological development.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't doubt there's demand for this, given the very very high prices American ISPs charge for even our pokey bandwidth.

It may be important to ensure that proportional fees be available to pay to ISPs for all content providers to provide free content. A tiny web site could pay to distribute some content free based on bandwidth used. censorship by pricing out smaller rivals potentially produces public deception by providing one side to debates.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

As much as it likes with clear notification of when and why it will do so in its contracts with minimum 18 type font. No one source's traffic being throttled in an effort to censor it, however. Only types of data. Slower video? Fine, slow down MSNBC and Fox equally.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Limiting factors like cable's tendency to slow down when multiple users are using their connection. Bandwidth limits at a single point like a cell tower. What percentage of time one can expect optimal bandwidth. The average bandwidth one gets. What geographic considerations affect the predictions.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

As much as a mail service should be allowed to steam open envelopes and read your letters, sure. What's the difference as long as the mail goes faster?

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
William Jacobs / First Stop Tech

Name: Natassija Watson  
Email: [natassija\\_watson@yahoo.co.uk](mailto:natassija_watson@yahoo.co.uk)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I'm not aware of a demand for "commercial practices" such as zero rating. These commercial practices will infringe on and limit my rights as an end-user through restricting my access online and any commercial practices which limit my user rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Natassija Watson

Name: Tim Stelling  
Email: [Sniper-Noob@gmx.de](mailto:Sniper-Noob@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein, es Bedarf keinen Spezialdienst. Es bedarf höchstens ein Ausbau der Internetleitung.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Das das Internet immer teurer wird und wenn man nicht möglichst viel Geld investiert, dann ist man eingeschränkt und benachteiligt. Gerade in der heutigen Zeit wo immer mehr Wissen aus dem Internet statt aus den Büchern bezogen wird werden auf diese Weise Kinder die nicht in Familien leben die wohlhabend sind benachteiligt werden in Sachen Bildung.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Es existiert beim Endverbraucher kein Bedarf an Zero-Rating! Selbst wenn es eingeführt wird werden die Endverbraucher es schnell merken bzw. irgendwann aufwachen wenn wieder ein Fall in den Medien auftaucht wie der von Edward Snowden und versuchen dagegen an zu gehen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Vom Grund ist die Idee löblich den Datenverkehr somit besser "managen" zu können. Aber wenn es nur für die "allgemeinen" Daten gilt und nicht für alle und da dadurch meine Privatsphäre gefährdet ist, bin ich dagegen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Die tatsächliche Geschwindigkeit und die Ausfallsicherheit sind das einzige was wirklich relevant sind. Andere Daten wie z.B. Traffic, Ports etc. sollten auch zugänglich sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre

Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

mit freundlichen Grüßen,  
Tim Stelling

Name: Daniel Quanz  
Email: [ich@daniel-quanz.net](mailto:ich@daniel-quanz.net)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Wenn vertraglich eine solche Vergünstigung vereinbart wurde, verlöre ich, wenigstens während der Laufzeit, die Freiheit bestimmte Gruppen an Programmen ohne Vor- oder Nachteil zu wechseln. Ich müsste mich also in meinem digitalen Nutzungsverhalten mittelfristig festlegen, beispielsweise auf einen E-Mailprovider, dessen Daten zu Nulltarif abgerufen würden. Dadurch verlöre nicht nur ich ein gehöriges Maß an Offenheit, sondern auch neue, kleine und womöglich innovative Dienstanbieter, deren Marktzugang noch schwerer wäre, als das bereits jetzt der Fall ist.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Ich könnte mir einzig vorstellen, dass förderungswürdige Hoheitsbereiche (Bildung, Gesundheit, Wissenschaft, etc.) von herausgehobenen Spezialdiensten profitieren könnten, allerdings ohne dass dieser Zugang durch einen Marktmechanismus reguliert würde. Diese würden dann zwar bevorzugt, jedoch geschähe dies im öffentlichen Gesamtinteresse und nicht zum Besten zahlungskräftiger Einzelakteure.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Ganz sicher nicht, denn auch informationelle Freiheit ist Teil dessen, was wir als Privatsphäre schätzen gelernt haben.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Die Informationen, die eine angemessene Einschätzung und einen Vergleich möglich machen, also alles, was konkret und empirisch von Relevanz ist.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das

Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Daniel Quanz

Name: Zane Mammon

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for "commercial practices" such as zero-rating. These practices could limit my rights as an end-user.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can see no positive impacts of specialized services on future innovation and openness of the Internet. The negative impacts are many.

Is there a demand for specialised services? Which services should be allowed this special treatment?

There is no demand for specialized services. No service should be allowed this sort of special treatment.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive as much information about my internet connection as possible, including its speed, quality of service, and how my traffic is managed.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not be able to interfere with my Internet connection at all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The ISP should not be able to monitor any traffic or content in any way for any reason.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Zane Mammon

Name: Dr. Adrian Degeratu  
Email: [dr.degeratua@yahoo.de](mailto:dr.degeratua@yahoo.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No zero-rating

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Protect freedom of information

Is there a demand for specialised services? Which services should be allowed this special treatment?

Yes

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Should not be able to interfere

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Dr. Adrian Degeratu

Name: NirBhao S Khalsa  
Email: [seed.visions@gmail.com](mailto:seed.visions@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, Yes

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
NirBhao S Khalsa

Name: Alexander Malmquisy  
Email: [allanbrallan@live.se](mailto:allanbrallan@live.se)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Alexander Malmquisy

Name: Benny Pettersson  
Email: [bennysbike@gmail.com](mailto:bennysbike@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial interests over people never ends well

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Benny Pettersson

Name: Dominik Seitz  
Email: [seitzdo@gmail.com](mailto:seitzdo@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No. Imho zero-rating could lead to distorted competition, because a zero-rating service would be used more often, although another service might be better (more functionality, better usability, ...).

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Hypothetically, there could be a positive impact for emergency services (eg. an emergency call) if such services would be prioritized. But in practice such emergency services don't need much bandwidth, and therefore wouldn't be much faster (if at all).

On the other hand prioritization of services could lead to an increased usage of prioritized services. This would distort competition.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No, because emergency services won't use much bandwidth.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, because it would slow down the packages.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP should not be able at all to interfere with my Internet connection.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Dominik Seitz

Name: Lawrence Crowley  
Email: [magic@ecentral.com](mailto:magic@ecentral.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes and Yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I think negatively they will result in tiered service with the poorer people at the bottom.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I d not know.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not be allowed to interfere.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know all of this information.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lawrence Crowley

Name: João Campos  
Email: [reg.tiojoca@gmail.com](mailto:reg.tiojoca@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
There's no demand for such services and none should be allowed special treatment.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services allow internet providers, private institutions and even governments to censor and limit free open access to content on the internet and are therefore an obstruction to innovation and freedom of speech.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There's no demand for such "commercial practices" for the consumer/user side and it can only affect them negatively. The end-user should be able to decide what they want to access. By setting such practices that decision is controlled by the internet providers and private companies instead.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Internet providers should be clear and transparent about how my internet service traffic is being managed.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
João Campos

Name: Florian Brenner  
Email: [f.brenner@gmx.net](mailto:f.brenner@gmx.net)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for so called "commercial practices" because they will limit my rights as end-user.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The negative impacts will be less freedom of communication, less competition and less innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't see any demand for such so called "specialised services", so there aren't any service that should be allowed this special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Florian Brenner

Name: Stephan Vogel  
Email: [derphoenixvogel@web.de](mailto:derphoenixvogel@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Nützen tut es nur den Konzernen. Außer lebenswichtigen Diensten, wie wenn Ärzte über Robotern an einem anderen Standort operieren, braucht man keine schnellere Datenverbindung.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Abkassiert würde bei den Ärmsten. Unternehmen profitieren. Diese Politik bringt den Parteien so viele Stimmverluste.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Lebenswichtige Ops per Roboter z.B.. Der Rest kann mit der normalen Geschwindigkeit arbeiten. Selbst Spiele brauchen keine schnellere Verbindung.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein. Wo immer man noch gläserner werden kann, sollte man geschützt werden, bzw. sich schützen können.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Über welche Knotenpunkte die Verbindung geht und wer unter Umständen Zugriff/Einblick in die Daten hat.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von

Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Stephan Vogel

Name: Felicitas Wilcke  
Email: [audrun@web.de](mailto:audrun@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Ein bedarfsgerechter Ausbau der Leitungskapazitäten macht eine Bevorzugung von Spezialdiensten unnötig.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Auf keinen Fall

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass

Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Felicitas Wilcke

Name: Jakub Wittmann  
Email: [kubawittmann@gmail.com](mailto:kubawittmann@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Definitely no.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Jakub Wittmann

Name: Mike Dotson  
Email: [snorlaxmd@yahoo.com](mailto:snorlaxmd@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is a demand among ISPs and corporations/developers hoping to engage in these types of pay-for-play contractual agreements with ISPs, but not among the consumer base. This could certainly limit my rights as an end-user. For instance, Mediacom could engage in a contractual agreement with CBS to provide an app for content that would be zero-rated while continuing to track data for video sites like YouTube or Dailymotion.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

These types of services could help up-and-coming app developers get more business and get the word out about their app when another app has been in the market for longer. However, this would also have a negative impact because it could lead to unfair advantages in terms of competition. It could also limit freedom of speech inasmuch as a video app could have certain advertisers buying bandwidth with them so their message would get out as opposed to a competitor who did not advertise with a zero-rated app. As such, this could negatively affect competition in other industries.

Is there a demand for specialised services? Which services should be allowed this special treatment? Perhaps public services, such as weather or PSAs

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive download and upload speeds, information about when updates and repairs to servers will occur, and what kind of information my ISP will retain and for what purpose.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, this is not necessary for traffic management. They only wish to collect marketing data and invade customers' privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should throttle only after a data overage beyond the contractual limit.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mike Dotson

Name: Adele Gleason  
Email: [adelegleason@netscape.net](mailto:adelegleason@netscape.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating means someone else is buying the right to pre-empt all other users. If they want their own network, they can build their own private network. If they get the advantages of working on the public network, they can have its disadvantages, too.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Only with a specific warrant.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They can slow it down if it is necessary to slow down all but emergency channels.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context. The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Adele Gleason

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Pierre-Yves BEL

I am working on some connected health applications. Some of them require the best connectivity to make sure the user will not be left without service when in need.

However, I have never seen any problems with current services. Problems arise from lack of coverage (for mobile networks) or network failure (for fixed access) but when the Internet access is working, there is no need for the traffic from the app to be prioritized in any way.

However, if some big health company were to provide services with some kind of priority, they could use this as a marketing edge (even though in reality it has no impacts). Competitors unable to meet the demands of ISP for specialized services (such as smaller actors who cannot afford the price the ISP would be asking for it) would then be at a disadvantage.

For the end-user, it would raise the cost of the service for no useful reason.

As a user, I am strongly against zero-ratings. I use few widespread Internet services and rely on less common alternatives. This means that my Internet usage is never covered by the current zero-rating offers, which means in the end that I am paying extra for not using the same thing as everyone else.

This means that this insidiously add an extra cost to the smaller actors, raising cost of entry to the market, and making it harder for small innovative companies to disrupt the market.

I have a master in IT and networks and I see no reason why Deep Packet Inspection would help traffic management. However, DPI is a clear threat to privacy and democracy. It can easily be used for censorship.

I do not see how reading a letter could help the post office manage the mail better, and even if it could, this would not be worth the cost in privacy, freedom and democracy.

Throttling or prioritising does not mean providing a better service. It means providing a better service for some users at the cost of the experience of other users. Current network technologies are good enough to optimize traffic. If some users cannot have a good experience, then it means that the network capacity is not big enough. Throttling would just be a band-aid that would hide the problems for some users while making it worse for others.

I can test the speed and witness QoS myself. What I cannot know is if some websites or services are being prioritized (or limited) or if I'm getting a degraded/improved experience compared to other users. This is the kind of information that I need to get from my ISP.

For example a French ISP used (or maybe still does) limit access to Youtube. Since it was not explained anywhere (not even acknowledged by the ISP), most users just thought that their connection was not good enough and that they had to switch from DSL to optic fiber, even though DSL was actually enough for their need.

This doesn't mean that it would have been acceptable if they were transparent about it. We know from current advertisement about mobile network coverage or Internet connection speed that ISP are masters of deceitful advertisement. In France most of the ISP have also been judged guilty of price fixing many times. Because of this, I don't expect the customers nor the market to benefit from allowing ISP to break net neutrality, even with guarantee of transparency.

Kind regards,

A concerned citizen

Name: Alan Schwartz  
Email: [aschwartz.news@bbti.us](mailto:aschwartz.news@bbti.us)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no customer-centric demand for "commercial practices". They would simply increase corporate profits at the expense of customer rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No. A case could be made that public safety and information, such as Amber Alerts should get higher priority. But that requires very little bandwidth. However, opening the door for that type of stream, establishes the capability, and thereafter could be misused. So, not providing the "specialized services" at all is a better route.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Alan Schwartz

Name: Kate Paradis  
Email: [paradaly@yahoo.com](mailto:paradaly@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Kate Paradis

Name: mickey mccarthy  
Email: [mickey\\_94114@yahoo.com](mailto:mickey_94114@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
mickey mccarthy

Name: R. Brent Palmer  
Email: [iamtheether@hotmail.com](mailto:iamtheether@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Other than raw data usage rates, no.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
R. Brent Palmer

Name: Sharleen Mehemed  
Email: [Sharmeh@gmail.com](mailto:Sharmeh@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

n/a

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Sharleen Mehemed

Name: Richard Geltman/Geltman Associates

Email: [rgeltman1@verizon.net](mailto:rgeltman1@verizon.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, it shouldn't.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all, except for repairs to the system.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Richard Geltman/Geltman Associates

Name: Knut Richter

Email: [knutrichter73@msn.com](mailto:knutrichter73@msn.com)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREK Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

Es gibt keinen Bedarf solche Praktiken einzusetzen.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Jede Einführung von Spezialdiensten bringt einem anderen Nutzer Einschränkungen. Durch jedes Kabel kann nun mal nur eine Begrenzte Anzahl von Daten pro Minute geschickt werden. Sobald man da eine "Überholspur" einrichtet, werden alle anderen Nutzer dieser Leitung automatisch ausgebremst.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?

Niemand sollte eine Sonderstellung bekommen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Mein Internet-Provider sollte mir die durchschnittliche Übertragungsrates des Anschlusses ebenso mitteilen wie die höchste und niedrigste Rate, und das in einer benutzerfreundlichen Weise, zum Beispiel in einem Diagramm oder einem Musterbild. Das bedeutet, dass mein Internet-Provider die maximale Übertragungsrates nicht so darstellen darf als sei sie ständig zur Verfügung, denn das wäre eine Falschaussage zur tatsächlichen durchschnittlichen Datenübertragungsrates.

Internet-Provider sollten in allen Verträgen klare und verständliche Aussagen über die Parameter der Quality-of-Service machen. Es sollten auch konkrete Beispiele angeführt werden, die die tatsächlichen Auswirkungen auf meinen Internet-Zugangsdienst haben. So sollte ich zum Beispiel auch Informationen darüber erhalten, welche Einflüsse das auf VoIP Dienste hat, zum Beispiel Störgeräusche oder verzerrte Videoübertragung. Im Grund genommen will ich so genug Informationen erhalten, dass es mir möglich ist, vernünftige Aussagen zu meiner Quality-of-Service für meine Anwendungen (Video, Spiele etc) treffen zu können.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Davon halte ich gar nichts. Das ist ein Eingriff in meine Privatsphäre den ich nicht billige.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Mein Provider sollte keine Möglichkeit haben meine Daten auszubremsen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Knut Richter

Name: Bill Lindner  
Email: [Mrfullsrv@gmail.com](mailto:Mrfullsrv@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
NO DEMAND FOR SPECIALIZED SERVICES THAT I'M AWARE OF.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
ADVERSITY WOULD OPEN THE DOOR TO MORE ILLEGAL MONITORING BY LAW ENFORCEMENT

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
IF YOU'RE PAYING FOR YOUR INTERNET, YOUR ISP SHOULD HAVE NO RIGHT TO INTERFERE WITH YOUR TRAFFIC.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I'D LIKE TO MAKE SURE IT'S NOT BEING MONITORED OR THROTTLED.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Bill Lindner

Name: Robert Parment  
Email: [strecke@yaho.se](mailto:strecke@yaho.se)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, In a free country we should practice open(free) internet.

Is there a demand for specialised services? Which services should be allowed this special treatment? Encryption!!!!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, the people who wants too hide are already doing it so its only hurt the people who you serve.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Nothing

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Maximum speed, average expected speed (possibly a graph showing usage hour and procentage), if they treat content types differently and how, what information they relay tho a third party

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Robert Parment

Name: Marcia Hopkins  
Email: [mhopkinsindy@yahoo.com](mailto:mhopkinsindy@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Marcia Hopkins

Name: John Ruhl  
Email: [jhn\\_ruhl@yahoo.com](mailto:jhn_ruhl@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
John Ruhl

Name: Tom McNeely  
Email: [tomm87@hotmail.com](mailto:tomm87@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

When ISPs offer zero-rating there will naturally appear to be a demand for it, but only because it creates an artificial distortion of incentives. This is absolutely not the way the Internet should work. A telephone company does not offer better rates or a better connection when you call their preferred pizza delivery company versus a non-preferred company, and everyone can see how wrong and corrupt it would be if they did. The Internet should be no different.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It makes it harder for new or small companies to compete, even if they would compete successfully based on their true merits.

Is there a demand for specialised services? Which services should be allowed this special treatment? If capacity is adequate, then giving better quality to some services is unnecessary. If it appears to be necessary, then the real problem is one of inadequate capacity.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, the job of an ISP is simply to receive and send packets on my behalf, and the source, destination and content of that traffic is irrelevant.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Although it might seem reasonable to prioritize some traffic based on its type (e.g. latency-sensitive games or bandwidth-sensitive audio and video), it's mostly high-bandwidth applications that would need such preferential treatment, and in fact I believe that my simple small HTML pages should not be slowed down behind someone else's bandwidth-intensive video.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Information about all of these things is potentially valuable, but especially if unfair practices are being used. With real net neutrality, it's not so vital because you already know your traffic is being handled fairly.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Tom McNeely

Name: Dr. Volker Schikowsky

Email: [schiko.mer@web.de](mailto:schiko.mer@web.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

bla bla bla

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
niemals

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
alle

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann

nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Dr. Volker Schikowsky

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view? Internet should be completely free and also there should exist no throttling. Then zero-rating would be meaningless.

My name:  
Karsten Zarth

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

In my opinion there are no services that should be allowed to get extra speed on the internet, because that is equal to slow other services down.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)? Absolutely no! That would be a degeneration of democracy.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I only see negative impacts, it would mean, speed for the rich, and slowness for the poor. That's non-democratical.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

Absolutely! Today almost every non-cripted internet communication is "proudly reviewed" by more and more secret services. Perhaps (in future or already yet) we should allow anyone to throttle maybe encrypted internet traffic. At least I fear that could happen.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No! That's only my business. Nobody should track that, although many do. But nobody should get an extra permission to do that.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

My ISP should have no rights for that. That destructs democracy.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Yes, it would.

What would you consider to be "reasonable" traffic management measures?

How can "unreasonable" traffic management measures affect you as a user? Please, provide examples.

No traffic management measure could ever be "reasonable". That's a slowly ticking time bomb, at last only the rich (companies) would have speed on the internet, and the poor won't survive, that's non-social.

That's a slowly destruction of democracy.

What information would you need to make an informed decision about your Internet connection? For example: traffic management; commercial practices or technical conditions?

The more information, the better. At least: traffic management; commercial practices and technical conditions.

What information would you like to receive about the speed of your Internet connection?

My ISP should guarantee the least internet speed.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

Yes they should. You should be able to throttle payment if these parameters are not reasonable fulfilled.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Caryn Cowin  
Email: [caryn\\_cowin@yahoo.com](mailto:caryn_cowin@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for Zero-rating.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Caryn Cowin

Name: ruben gonzales  
Email: [zappa.fk@gmail.com](mailto:zappa.fk@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
kein bedarf

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
ruben gonzales

Name: Robert Beggs  
Email: [robertdbeggs@yahoo.com](mailto:robertdbeggs@yahoo.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Robert Beggs

Name: Aaron Kooienga  
Email: [cobrabrandy22@gmail.com](mailto:cobrabrandy22@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

N/A

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No this is a violation of Civil Liberties

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Aaron Kooienga

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Victor Ubierna de las Heras

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: James McConnell  
Email: [joannemcconn@gmail.com](mailto:joannemcconn@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
No specialized services

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
speed is important

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
James McConnell

Name: Joseph Stork  
Email: [jrstork@hotmail.co.uk](mailto:jrstork@hotmail.co.uk)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Nope

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Joseph Stork

Name: Johann Belleguie  
Email: [johannbelleguie@gmail.com](mailto:johannbelleguie@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All of them.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Johann Belleguie

Name: Cheryl Keith  
Email: [K2005Success@aol.com](mailto:K2005Success@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Call it by any name -- restricting access for PROFIT affects ALL end-users adversely. Let those with a profit motive have the IDENTICAL "service" all the rest of us have. If they have a good product, they will find success in the marketplace without disenfranchising anyone else who uses the internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

ALL innovation could be "reserved" for those with deep pockets. Small innovators could/would be squeezed out of the marketplace in favor of industry giants who could determine, from their own profit motive, whether or not a particularly beneficial (from a public interest perspective) innovation would EVER become available.

Is there a demand for specialised services? Which services should be allowed this special treatment? I am unaware of any "demand" that warrants "special treatment" outside of the kinds of things that now are allowed to disrupt ordinary TV, radio, and telephone services -- announcements of terror attacks, assassinations, impending tsunami, landfall of hurricanes, spotting of tornadoes, earthquakes, floods, etc.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Personal privacy MATTERS. We should NOT give it up easily. Private entities "advertising" opportunity (i.e., profit maximization) interests should NOT dictate public policy regarding either the internet, snail mail, or printed media. Private entities did NOT create the internet. They didn't create the rights to free speech, free association, etc. Don't give a micrometer to allow "rationing" of access to low income, marginalized, or other disadvantaged users of the internet. It is like the air that we breathe -- let the privileged breathe the same air, not some specialized version of what everyone else gets. Then the incentive will be to improve the "air" that everyone breathes.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

If throttling or prioritization is allowed, it should ONLY be for the benefit of PUBLIC entities -- like taking over TV station and Radio broadcasts to make public announcements in emergencies and restricting private phone use in like situations. If it is allowed for other reasons, the ISPs will use their own PROFIT motive to disenfranchise the masses in favor of the privileged.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Cheryl Keith

Name: Thomas Friedrich  
Email: [strassenflirt@gmail.com](mailto:strassenflirt@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Streaming und VOIP verdienen in meinen Augen eine höhere Priorisierung als andere Dienste, die nicht Echtzeit kritisch sind wie z.B. EMail.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Sollte mein Provider eine monatliche Beschränkung der Datenmenge einführen und eigene Dienste davon ausnehmen, werde ich ihn sofort wechseln. Ich nutze Netflix, Amazon und Maxdome. Die Nutzung wäre gegenüber z.B. Telekom Entertain nur sehr eingeschränkt möglich.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Streaming kann beschleunigt werden, VOIP darf ebenso bevorzugt werden.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte informiert werden über eine etwaige Einschränkung bestimmter Dienste, die maximale Geschwindigkeit, Reaktionszeiten bei Ausfällen und die durchschnittliche Anzahl der Ausfälle pro Jahr.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Auf gar keinen Fall. Es geht keine Firma etwas an, was ich herunter- oder hochlade.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Thomas Friedrich

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Laily Nator

I know of nobody who desires specialised services, the current internet connection model is fine as it is. I have had no issues with connectivity, so I see no need for change.

If specialized services were implemented, more powerful monopolies will have the power to strangle start ups or telcoms and censor information

when I subscribe to a flatrate I want to be able to have monthly unlimited access to everything at an equally fast speed, as promised in commercials etc.

limiting data and zero rating makes me be more mindful of which websites I open, because an image or an ad can make me cross the limit.

Traffic monitoring is one of the biggest violations to privacy and communication rights imaginable! I'd boycott anyone who tries to pull it through! What ever happened to secrecy of correspondence?

ISPs shouldnt be able to tamper with internet speed at will, I want the speed the cable can provide, I dont want to have to pay more for a service I already pay for. Why is it so obviously greed-driven?

its fine the way it is, thank you

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in

increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Mark Bridgeman  
Email: [mark@nice-site.org](mailto:mark@nice-site.org)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

there's no demand I can think of from consumers only from companies that want to turn the internet into a TV station where they control the content and you pay for it.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can't think of any benefit to come from this, internet toll booths and fast and slow lanes are a form of digital apartheid.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
none at all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

hell no!, certainly not, they can measure my traffic patterns but my communications and info sent are all confidential

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none at all, all interference no matter how slight is still censorship.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all of it, I want to know why these providers cannot provide a consistent service to me.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mark Bridgeman

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

George

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

There is no demand for specialised services. Already today there is build in qos( queque of services for traffic management ) that provides traffic flow without congestion

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

It could mean that paid services are fast and the free services are slow.

The internet provider is controlling the internet.

\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

It is negative fir the end user and kill competition for the big companies. You pay for services and the free internet is strictly regulated and no openness

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No, ISP should not be allowed to monitor your traffic. This will result in surveillance, censorship and control the internet.

The ISP is already doing traffic management with the purpose to hinder congestion and free flow of the traffic.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

They should not be able to interfere with your internet connection. This will only lead to controlling the connection and controlling the internet. It will undermine the net neutrality

Quality and speed should remain consistent regardless of the type of content being accessed

If companies interfere and restrict or limit access to specific points on the Internet, this will have an obvious impact on our freedom of choice and access to information.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

ISPs should provide information on quality of services parameters in very clear language in all contracts.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Monica Favela  
Email: [mfavela8@gmail.com](mailto:mfavela8@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
NO. People already have the ability to select speedier packages. We don't need "specialised services" that allow companies to prioritize what THEY want to. This is not beneficial to users. Users are not asking for this, big telecom companies are asking for it so they can extract more money from us and limit users. We want an OPEN and FREE internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Regulation of "specialised services" will allow for a discriminatory fast lane and would infringe on our freedom of communication, competition, and innovation. We don't want corporations controlling the internet and they have no right to do so. Please protect a free and open internet!!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. And ISPs should provide information on quality of services parameters in very clear language in all contracts. I should have the information I need in order to make reasonable assumptions about the quality of the service available for my particular priorities (gaming, video, etc).

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

End users should be able to choose priority of online traffic.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Monica Favela

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Bastian Hörmann

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: jj  
Email: [jj@jj.jj](mailto:jj@jj.jj)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den

Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
jj

Name: Michelle Mitchell

Email: [michellemitchell@gmail.com](mailto:michellemitchell@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No services should be allowed special treatment.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for commercial practices like zero-rating among consumers but I'm sure providers would love it.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Absolutely.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Michelle Mitchell

Name: Gary Nowlin  
Email: [revbgary@gmail.com](mailto:revbgary@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This is wrong. With media companies controlling all other sources of information, net neutrality is our only escape from oligarchy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference with my internet connection.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Gary Nowlin

Name: Michael Friedman  
Email: [mikefrdman@gmail.com](mailto:mikefrdman@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Friedman

Name: Manfred De Pari  
Email: [ofbodom2@gmx.at](mailto:ofbodom2@gmx.at)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht! Ich will weiterhin selbst entscheiden welche Dienste ich bevorzuge oder drossle!

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er

den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Manfred De Pari

Name: lee jordan

Email: [lee@jordancomm.com](mailto:lee@jordancomm.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
lee jordan

Name: Alessio Becheracci

Email: [d.alter@yahoo.it](mailto:d.alter@yahoo.it)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not sure.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Alessio Becheracci

Name: Rudy Zeller  
Email: [goforgoalrudy2@yahoo.com](mailto:goforgoalrudy2@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Rudy Zeller

Name: Andrejs Jansons  
Email: [jansonsa@gmail.com](mailto:jansonsa@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Customers paying a higher rate would be given priority. This is not right and should not be allowed

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No one should be allowed special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference should be allowed

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Andrejs Jansons

Name: Dr. Joachim Gruber  
Email: [jochen.gruber@acamedia.info](mailto:jochen.gruber@acamedia.info)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich kann keinen legitimen Bedarf für kommerzielle Praktiken sehen. Mein Video-Streaming oder video-on-demand muss ablaufen können, ohne dass ich bevorzugt werde.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

negative Einflüsse: Das Internet degeneriert in ein TV-ähnliches Unterhaltungsmedium, dessen Offenheit und Innovationsfähigkeit von wahrscheinlich wenigen (oligopolistischen) Content-Anbietern festgelegt wird. Die heutigen Möglichkeiten des freien Internets werden nur noch von einer Untergruppe der Internet-Nutzer wahrgenommen. Damit werden letztendlich die z.Zt. angebotenen demokratischen Informations- und Mitwirkungsmöglichkeiten beschränkt.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Ich wüsste keine Spezialdienste zu nennen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Internet Service Provider soll meinen Anschluss nicht beeinflussen können

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Angabe meiner durchschnittlichen und aktuellen Übertragungsrates mit gleichzeitiger Angabe der höchsten und niedrigsten Rate (Maximum .... aktuell ... Durchschnitt ... Minimum). Technische Begründung für den aktuellen Zustand des Traffic-Managements, d.h. für die gegenwärtige Bandbreite

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese

treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Dr. Joachim Gruber

Name: Lukas Watzl  
Email: [lukas.watzl@hotmail.com](mailto:lukas.watzl@hotmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
The only services which should be prioritized are ones offered by the government like e.g. the police

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No what I do is my business

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They shouldn't interfere. If I want a prioritized Service I can tell my router to do it myself

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I would like to get all information about how my data is handled and why it's too slow sometimes

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lukas Watzl

Name: David nickel

Email: [david.d.nickel@gmail.com](mailto:david.d.nickel@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

None. Keep it open an standard

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

User speed degrade and lack of same fast speed for all

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Min tracking. No deep packet

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Min to none

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

None.my isp charges me enough for the 10 meg with 50gig cap an still not adding 4g service near me.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
David nickel

Name: Stitz

Email: [digital\\_fire@gmx.de](mailto:digital_fire@gmx.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Stitz

Name: Dr. Adrian Degeratu  
Email: [dr.degeratua@yahoo.de](mailto:dr.degeratua@yahoo.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
Negative Einflüsse könnten Internet verlangsamen bzw zu 2. Klassen von Kunden führen

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Ja z. Bsp. auf Berufsgruppen bezogen

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Alles

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,

Dr. Adrian Degeratu

Name: Katherine Werner  
Email: [kwerner@gmavt.net](mailto:kwerner@gmavt.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The only "demand" comes from the big media controllers.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Hell NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Katherine Werner

Name: Albert Pilger  
Email: [pilger.a@pfm.at](mailto:pilger.a@pfm.at)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

That means manipulate the user!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would be positive if I may choose which service I would like to use.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO, NO, NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I am not sure

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I am not sure.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Albert Pilger

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Daniel Miller

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: christopher stacy  
Email: [pokerbeatdown@gmail.com](mailto:pokerbeatdown@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
of course not.....completely absurd

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none what so ever

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
christopher stacy

---

Name: Malcolm A Norton III

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No and none

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

Malcolm A Norton III

Name: May Lockhart  
Email: [mlockhart37@hotmail.com](mailto:mlockhart37@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

Is there a demand for specialised services? Which services should be allowed this special treatment?  
?

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
?

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of the above

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Traffic yes/content no

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
May Lockhart

Name: Frank Wilsey  
Email: [fwilsey@verizon.net](mailto:fwilsey@verizon.net)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Frank Wilsey

Name: akiba timoya

Email: [atewodesigns@yahoo.com](mailto:atewodesigns@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
akiba timoya

Name: Kent Cole  
Email: [lapis.c.lupus95@gmail.com](mailto:lapis.c.lupus95@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
yes it could there is no need for it

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
little to never

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Kent Cole

Name: Enrico Walter  
Email: [e-walter@email.de](mailto:e-walter@email.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
kein bedarf, Endverbraucherrechte dürfen nicht beschränkt werden

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Ich will ein offenes Internet, um die Freiheit der Kommunikation, des Wettbewerbs und der Innovation zu erhalten.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Ich will keine diskriminatorische Fast-Lane.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich will klare und verständliche Aussagen über die Parameter der Quality-of-Service.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und

nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Enrico Walter

Name: Judy Wyeth  
Email: [judy@wyethdigital.com](mailto:judy@wyethdigital.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Judy Wyeth

Name: Scott Kallio, EIPHANYSOLUTIONS LLC

Email: [greatscott02@gmail.com](mailto:greatscott02@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any intentional limitation of communication speed that is available would deny the advancement of technology. Remember when the church tightly controlled the printed word, I believe they called it the the dark ages. You know the world is flat!

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No. That is the ultimate question.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Complete denial of information exchange. Imagine how open and honest government would be if they had the opportunity to create more specialized services.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

We know how our traffic is managed. At the lowest possible level because you should be thankful for what you get, improvement is only achieved when governments are pressured.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Anyone throttling or prioritising Should be jailed. It should be considered the same as jamming cell phones.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO they should not unless there is a reasonable cause to suspect wrongdoing and only with court approval. Many of the security services and law enforcement agencies are employing better filters to reduce the volume of data. Sifting thru data without a clear purpose is a lesson in futility that eats bandwidth slowing overall communications.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Scott Kallio, EIPHANYSOLUTIONS LLC

Name: E. Gallagher  
Email: [eg@tld.com](mailto:eg@tld.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not, especially without due cause. This is a violation of a person's privacy rights. It is undemocratic in its limitations on a person's freedoms!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
E. Gallagher

Name: Jason Varvas  
Email: [jvarvas@gmail.com](mailto:jvarvas@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jason Varvas

Name: William Obrien  
Email: [wobobr123@yahoo.com](mailto:wobobr123@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.  
Kind regards,  
William Obrien

Name: Samuel Collins  
Email: [samcadebuz@gmail.com](mailto:samcadebuz@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating is the thin end of the wedge, not necessary, and looks like a free gift but requires loss of net freedom

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It will mean the companies with the most money will narrow the internet into a means of delivering their products and their agenda. Not an open platform for the user to find information from a broad number of competitors.

Is there a demand for specialised services? Which services should be allowed this special treatment? Cant think of any

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Isp should not be allowed to monitor traffic content for the purpose of traffic management

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Isp should not be allowed to throttle different types of traffic

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Contention rates, variation in peak and trough speeds, how traffic is monitored managed and logged.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Samuel Collins

Name: Gene Raymond  
Email: [gbraymond@verizon.net](mailto:gbraymond@verizon.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISPs should not be able to interfere at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All information regarding my connection.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Gene Raymond

Name: Judith Mühlenhoff  
Email: [hauntedzeitgeist@yahoo.de](mailto:hauntedzeitgeist@yahoo.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Judith Mühlenhoff

Name: Emil Kampp  
Email: [emil@kampp.me](mailto:emil@kampp.me)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No. There is no demand. I have no examples.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I'm repeating my self here. When I have paid and bought the speed and volume it's mine to do with as I please.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Also how the speed and volume is measured.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. The whole idea that governments have got about surveillance is perverse!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They shouldn't at all. As long as I pay my bills, I should get exactly the speed and volume I payed for, and it's mine to do with as I please.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Emil Kampp

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Adam Kadman

Email: [earthwormcollectivej@gmail.com](mailto:earthwormcollectivej@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. We either cherish liberty and privacy or we will be inviting tyranny. Note to the ruling class: it is best not to rile hundreds of millions of people.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Adam Kadman

Name: Brian Middleton  
Email: [mrbyo@gmail.com](mailto:mrbyo@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I ask for no specialized services. No service should be allowed special treatment.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services that relate to accessibility to the internet prevent new online services from forming and bringing new and possible better services than other online services. It will limit competition to those that have money only.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't demand for anything other than the ability to use the internet to any site or service equally. Controlling the flow of traffic to any site removes the ability for me to decide where I can go online. Any site has the right to get traffic just as much as any other site.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP should NEVER be able to change the speed of any content being sent or received through a service. They must be accountable to always provide what speeds we are paying for (plus or minus a small percentage) and provide a way to determine why a service is slow and fix it if it is their network problem.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, not only do we need the ability to freely communicate we should be able to communicate anything.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Everything, if my service is not what I am paying for then I want it fixed. The ISP (along with the online service) should be able to tell me if the source service is not able to keep up to explain why I am not getting good through-put. Or vice versa, why my internet connection is not able to keep up.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as a circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Brian Middleton

Name: Ellen Delahanty  
Email: [ellendelahanty@gmail.com](mailto:ellendelahanty@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

I am very concerned that certain “commercial practices” such as zero-rating and Fast-lanes could ultimately limit my rights as an end-user of the internet. I believe that such practices create an unequal playing field -- contrary to what we hope and expect the internet to be.

Fast-lanes, and zero-rating will surely influence how people use the internet, causing access to certain sites to become restrictively expensive.

Furthermore, I don't believe that the ISP should be allowed to monitor my internet traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management, OR to interfere with my Internet connection - for example by throttling or prioritising certain types of online traffic (video, P2P, etc).

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Ellen Delahanty

Name: Claudia Van Gerven  
Email: [claudia.vangerven@colorado.edu](mailto:claudia.vangerven@colorado.edu)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Claudia Van Gerven

Name: Kristin Ziama  
Email: [theladysings@charter.net](mailto:theladysings@charter.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I don't understand the question.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Kristin Ziama

Name:  
Email:  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There will always be a demand for something that is free. If ISPs want to offer some sort of free service, they can always offer a certain amount of bulk traffic up and down to anywhere on the internet, for free. Zero-rating is portrayed as free access to certain sites that want to drive up their traffic/increase their userbase, which is the whole point of the commercial takeover of the internet - get people to go to a handful of centralised sites and control them.

I don't use sites where this would apply (such as Facebook), so I'm not impacted directly, but it is the usual slippery slope concept where you start off with a hands-off unrestricted unregulated internet access, and this previously-realised ideal is violated more and more over time, in this case getting ISPs comfortable with the idea that certain traffic is more important/special/different than others, and therefore treating it differently.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Sorry, I have no idea about 'positive impacts' that 'specialised services' could bring about, I'm only aware of the negative aspect that is covered by my answer to the previous question.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Sorry, I'm not really aware of specialised services. If they can come up with communication that is so critical, then this should be dealt with over a separate lower-capacity line covered by a better Service Level Agreement (since it sounds like 'specialised services' communications are not fit for best effort handling, and should therefore be serviced by a strong guarantee).

This however still ends up with bandwidth discrimination on the ISP network, particularly if they oversell their connections and can no longer serve the traffic people are paying them to transit - the high priority traffic will cause the normal traffic to be degraded, which is unacceptable.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No - I pay for my internet services with the expectation that my packets are not logged, analysed or have any other such activity applied to them - I expect them to be treated as a black box (not everything can be end to end encrypted yet), beyond inspection of headers etc that is required to route the packets.

Essentially, I'm paying for unadulterated packet sending and receiving, according to the technical limits of the line and 'package' I pay for (i.e. I can't expect an upload speed of 2MB/Sec (megabytes per second) if I only pay for 1MB/Sec, but I do expect all packets to be served on a first come first served basis with equal priority regardless of their content).

'Traffic management' violates this, so is not something I can support.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Any interference of packets must be opt-in (e.g. through options set on the ISP's website for the user), such that they are controlled by the user. The user does not exist to pay or abide by the ISP, the ISP exists to serve the user, so anything forced in a top-down fashion to the user is unacceptable (e.g. through the terms of contract etc).

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Maximum upload and download speed allowed by the internet service purchased.

Actual line speed synched to at the exchange.

A network diagram of utilisation of the ISP's (and their ISP's etc) network Any and all situations where the traffic is slowed down or dropped relative to the speed that it is being requested/served it.

Some large ISP network utilisation diagrams are available, however most normal ISPs will not publicise this, since if they tell the truth it will likely show significant congestion on their networks (i.e. the result of overselling bandwidth and highly contended exchanges etc), but at least that will allow people to understand where and why their traffic is being slowed down/dropped. Different ISPs can then compete by demonstrating ample capacity, however many will use BT's network, whose capacity they can't control (but again it will demonstrate the problem).

Keep in mind that dumbing down information to the level where everyone can understand is not a solution for everyone. Simplified/trivialised information and stats must always be presented alongside the full truthful information for those that can cope with it (this at least gives knowledgeable people the ability to detect bullshit being foisted in some executive summary etc).

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Philip Haworth (UK)

Name: Natalie Blasco  
Email: [justnat@xtra.co.nz](mailto:justnat@xtra.co.nz)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREK net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Natalie Blasco

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Christoph Storm

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

'specialized services' might be ones which require some sort of real time treatment, e.g., VoIP, Video streaming or Games.

But coming up with the required QoS enabled behaviour should be done by the IETF or similar organizations for worldwide compatibility! Not by individual ISPs, based on a profit and market based strategy which aims at hindering other services.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Positive: Specialized services having higher priority and faster connections.

Negative: Incentive for ISPs to declare more services as special, demanding additional fees for customers (on both ends) for no real additional effort. Effectively this will hinder further investment in faster Internet (fiber-landlines, etc.).

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

I don't see a demand for zero-rating. Instead I only see drawbacks when I'm virtually punished for choosing one service over another, just because of ISP policy.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No. All Necessary information is/must be part of the traffic headers, no further information is required by the ISP for forwarding or routing operations.

As I see it, deep packet inspection directly violates §8 of the European Convention on Human Rights and the European Data Protection Directive (Directive 95/46/EC)

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

Prioritization of specific streams, as specified by eventually deployed packet headers, is ok.

I don't concur with every other form of purposeful traffic manipulation.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

Generally: Everything.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Joe Calvert  
Email: [jpc603@gmail.com](mailto:jpc603@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, my traffic should be private. By inspecting my traffic is breaching my privacy and other methods should be used to monitor traffic

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not be able to prioritise my traffic - advertised speed should be equal for everything.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Joe Calvert

Name: Chris Hendrickson

Email: [christopher.a.hendrickson@gmail.com](mailto:christopher.a.hendrickson@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Make valuable information hidden from public.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Chris Hendrickson

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

A concerned citizen

Name: mike dickman  
Email: [crowspeaks@gmail.com](mailto:crowspeaks@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

there is no demand from the customer and it is certain that these so-called 'commercial practices' limit and distort my end-user rights to ends that are not my own.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

suggestion WITHOUT coercion might well serve both customer and commerce... the subtle coercive techniques lead to manipulation of information and all manner of underhand skulduggery.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

in no way

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

i do not consider ANY interference acceptable

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

i should like full - and simply stated - openness on all the above.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
mike dickman

Name: David K.  
Email: [david@sayodev.de](mailto:david@sayodev.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Meiner Meinung nach gibt es keinen Bedarf für "kommerzielle Praktiken". Zero-Rating könnte aber für staatliche- oder Notfallinformationsdienste verwendet werden.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Einflüsse von Spezialdiensten könnten für die Zukunft des Internet eine Monopolisierung von Spezialdiensten und die Zerstörung des freien Dienstleistungsmarkts im Internet.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

staatliche Dienste, Notfallinformationsdienste

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, die Anzahl/Größe der Pakete wäre für mich okay.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Maximal +/- 10% der Geschwindigkeit, die im Vertrag (o. a.) steht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Geschwindigkeit, IPv6 Unterstützung, Adresserneuerungszeit, Verfügbarkeit von Port-Umleitung/Öffnen von Ports, Traffic-Management.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass

Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
David K.

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Simon Praetorius

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't think that there is demand from the customer's side. Currently there are no actual bottlenecks in data transfer if everyone agrees to reasonable peering rules between providers. Specialized services would only help providers and provide no benefit to the end user.

The positive impact is that telecom companies will have another source of income and could invest even more in their networks. On the other hand specialized services will create a significant barrier for new companies entering online markets because existing companies with more money can afford to pay for special treatment by the telecom companies. Startups on the other hand have always profited from the openness and equal treatment on the Internet. This is why specialized services will stabilize monopolies or oligopolies in the market.

I'm sure that there is demand for "commercial practices", but not from the point of view of the end user. Sure, it might be that you can listen to one music streaming service without "paying" for it on your data plan, but it also means that your provider influences your decision on a music streaming service. If you want to use another service that fits your needs better than the service with a "special deal", you have a clear disadvantage.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Nicholas Hollander / WyvernIRC

Email: [mainstreet52@gmail.com](mailto:mainstreet52@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Casual end-users might appreciate having some free services, but it allows larger content providers to pay money to get more usage while start-ups unable to afford such ratings cannot compete with a larger established provider.

Is there a demand for specialised services? Which services should be allowed this special treatment? I could perhaps see a limited communication utilized by emergency services and other critical government agencies. The private sector should not be allowed to restrict freedom. It has the same issues as the zero rating concept.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, it makes it far too easy for them to start charging differently based on different content, or block content they choose not to like for whatever reason.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It should not be able to discriminate based on data type.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Nicholas Hollander / WyvernIRC

Name: Niels Maneschijn  
Email: [Manesni@gmail.com](mailto:Manesni@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no, not without a court order at least.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
only the absolute minimum to keep things running.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Niels Maneschijn

Name: Russel Brooks / private individual

Email: [rlbrooks@pobox.com](mailto:rlbrooks@pobox.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Telephone and similar emergency communications which are low bandwidth in nature.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

All users should have access to an open and unlimited internet. If they choose to limit their access to only part of the open internet then that is their choice as long as they also have the option to regain full internet at a basic cost. A restricted internet should be an extra cost option on top of basic open internet access. Don't make people pay extra to gain access to the full internet.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

All uses should be equal. Users often don't have a choice of ISP so they don't have any easy way to avoid such actions so at this time they should not be allowed in order to maintain an open, equal internet for all users.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP should not be able to control data by 'type'. I have mixed feelings about controlling large quantities of data as that negatively affects the web for everyone and is often used as a form of attack.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. ISPs should only be infrastructure providers, not internet traffic moderators. Data should be free to move without examination, restriction, or modification.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

minimum speed guaranteed, data caps are bad but if present there should be a way to accurately measure data consumed and also measured from the customer end for comparison.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Russel Brooks / private individual

Name: Laura Neiman  
Email: [lneiman55@gmail.com](mailto:lneiman55@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Laura Neiman

Name: Karen Piercy

Email: [karenepiercy@gmail.com](mailto:karenepiercy@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Karen Piercy

Name: Monika Helmes  
Email: [monicahelmes@gmail.com](mailto:monicahelmes@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would enable me to work from home. With these connection it is not possible.

Is there a demand for specialised services? Which services should be allowed this special treatment? We really would appreciate it, if would have a better performance then now. Not only in cities are living people who want to work via Internet, also in the smaller cities in Germany.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, this is private. Even if I have nothing to hide... It makes me feeling like someone is watching me while I'm sitting in a house made out of glass

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

We would be very happy if our ISP would perform for what we are paying... Video would be ok, but this seems to be s.th. for the next generation

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

speed, quality of service, and this please without the usual break-down and interruptions

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Monika Helmes

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Norman Olbrich / NT Neue Technologie AG

NO specialised services are required!

only for troubleshooting while network errors occur

nothing

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

A concerned citizen

Name: Mark Reuter  
Email: [mreuter1@roadrunner.com](mailto:mreuter1@roadrunner.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If Netflix doesn't count against my data, but Amazon or another new service does, that is an unfair advantage. Zero rating is NOT neutral. It still amounts to favored fast lanes or preferred treatment for some and not others.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

New services, by definition, will not have the advantages of entrenched specialized services. This makes entry into the market place for new technologies and services that much more expensive. It's like giving preferred treatment to buggy whip or sealing wax makers. The market should be able to decide based on a services merits.

Is there a demand for specialised services? Which services should be allowed this special treatment? The demand is from the vendors or from people who think that they are getting something for free. No one should be special.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Traffic content should be treated equally/ neutrally and is not the business of the ISP.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference at all. I pay for my connection and if I am not violating my terms of service or the law, they have no right or reason to interfere. ISPs provide a service. They are not Internet cops. Provide the pipe and get out of the way.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it should be available on demand. If there is to be real competition, this information should be freely available.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every

enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mark Reuter

Name: Cora Romina Klippert  
Email: [romi.klippert@gmail.com](mailto:romi.klippert@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

A special source of media might be free so that especially poor people get their information only from that source. Now there are lots of free sources of information to choose from if you can pay for data transmission or get it free without discrimination.

Also, newcomers with little capital could not afford to provide zero-rating like big corporations. Entering the market would be harder, monopolies promoted.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

negative:

no investment into infrastructure: you need standard services to be bad so you can charge a good price for special services, more power and market share for corporations, worse chances for innovative newcomers discrimination to quality media that does not belong to a corporation more surveillance against political/ environmental/ human rights/ free press activists, getting molested by bullshitstories that I needed special services for google-cars and operations

pros:

none

Is there a demand for specialised services? Which services should be allowed this special treatment? Did I miss a specialised service? No. I will not in the future, either.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. If they watch my content, everybody can do it and will do it: CIA, FBI, German secret services and governments.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all - this is what net neutrality means. We do have the technical means to provide fast internet for all services, people and places.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Which third parties did receive data about me?

Has there been discrimination of data? Who exactly did profit or pay?

What was the average speed?

What and when did I have the lowest speed?

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Cora Romina Klippert

Name: Peter Mclarty  
Email: [peter.mclarty63@gmail.com](mailto:peter.mclarty63@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

What if I create a protest sight and the content doesn't sit well with some at my ISP, could they use zero rating to make that site inaccessible. This creates potential censorship. I am sure many ISP's in parts of the world would love to use such methods to block Wikileaks and other sites

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Quality of service will always be a part of making the internet better, it does have potential downsides allowing an ISP to reduce traffic to any site or group of sites unbearably slow in the method used to manage the traffic. Balance not destruction of a class of traffic is needed.

Is there a demand for specialised services? Which services should be allowed this special treatment? Yes for health and safety. In the times of an Emergency their is public benefit in allowing people to be able to access some services to improve health and safety

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Yes but only to improve the experience of its customers, it can provide the ability of ISP's to stop viruses and other malware entering their networks and afflicting their customers and potentially themselves. For this I would accept deep packet inspection as it provides a consumer benefit. If it is used to negate net neutrality then it would need to be stopped

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

We would not have the innovation we have now on the internet if companies could throttle Google might not exist, Amazon might not exist and why should I have a bad experience with any website because a competitor bought the ability to speed their traffic over the smaller competitor. This should defy all anti competition laws along with the consumer rights in any reasonable country. How it could be considered at all with that in mind boggles the mind

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Severe penalties, percentage of turnover part of which would be used to fund Net neutrality messages should be inflicted in those found to. Accurate traffic maps should be readily available they are easy to publish from network management systems. Shaping alerts could be displayed if due to a current global event there is a traffic surge that requires the ISP to shape and show the daily,monthly, and annual average and median user connection performance would all be great pieces to add to the mix of transparency

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every

enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Peter Mclarty

Name: Thomas P Elder IV  
Email: [yymotfour@yahoo.com](mailto:yymotfour@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Keep my rights and privacy

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No demand

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Thomas P Elder IV

Name: John Loftus  
Email: [jhloftus@hotmail.co.uk](mailto:jhloftus@hotmail.co.uk)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Only if it was made to sound beneficial

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
it would Curtail the free and open internet

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No in not ever

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Should not be able to interfere

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
None personally as I can find these things for myself

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals. Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
John Loftus

Name: Allison Paley  
Email: [akpaley@gmail.com](mailto:akpaley@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating encourages people to use some services which are wealthy enough to be able to pay the ISPs for zero-rating status, favoring them over smaller more independent services and websites (ex: encouraging use of Youtube over say Vidzi for videos because Youtube might not count your monthly download limit whereas Vidzi does). It only benefits the ISPs and the very wealthy companies who can pay them and is anti-competitive. It should not be allowed.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I don't know enough about this aspect of this issue to comment.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't know enough about this aspect of this issue to comment.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like all collectible information about it to be available to me, even though I personally will use none of it. Some people definitely will use it.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Of course not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Allison Paley

Name: Patric Schirrmann  
Email: [registrar@pschirrmann.de](mailto:registrar@pschirrmann.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Zero-Rating bevorzugt die Dienste großer Unternehmen. Ich als Endverbraucher werde denjenigen Dienst bevorzugen müssen, der mir geringere Kosten verursacht. Kleine und mittlere Unternehmen haben mit Zero-Rating eine höhere Markteintrittschwelle, da mir als Verbraucher die Nutzung der angebotenen Dienste durch eine zusätzliche Hürde - die im Vergleich zum bevorzugten Dienstanbieter höheren Kosten - erschwert wird. So wird es innovativen, aber kleinen Unternehmen unmöglich gemacht, ihren Dienst am Markt zu platzieren. Zero-Rating verhindert damit den notwendigen Wettbewerb in Europa.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Spezialdienste können schnell zu Überholspuren werden, die sich nur die großen Marktteilnehmer leisten können. Kleinen und mittleren Unternehmen wird der Wettbewerb erschwert, da ihre angebotenen Dienste zweitrangig behandelt werden. Als Endverbraucher der angebotenen Dienste werde ich mich über kurz oder lang für den Dienst entscheiden (müssen), der von meinem Internet-Provider bevorzugt zur Verfügung gestellt wird. Als Verbraucher habe ich allerdings keinen Einfluss darauf, welchen Dienst mein Provider bevorzugt unterstützt, obwohl ich vielleicht gerne den innovativeren Dienst in Anspruch nehmen würde. Spezialdienste behindern und verhindern somit Wettbewerb und Innovation.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Heute selbstverständliche Internet-Dienstleistungen wie Videokonferenzen oder Online-Spiele dürfen nicht zu Spezialdiensten erklärt werden. Aus meiner Sicht sollen nur Internet-Dienstleistungen als Spezialdienste eingestuft werden, die die Daseinsvorsorge berühren. Das wären für mich Anwendungen im Bereich der Verkehrssteuerung (Ampelsteuerungen, Steuerung des öffentlichen Nahverkehrs), der Energieversorgung (Kraftwerkssteuerung) und Dienste im Zusammenhang mit Katastrophenschutz und Frühwarnsystemen (z.B. Kommunikation von Behörden, Polizei und Feuerwehren).

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Eine Überwachung meines Datenverkehrs durch den Internet-Provider mit dem Ziel, den Datenverkehr besser managen zu können, ist ein unverhältnismäßiger Eingriff in meine Privatsphäre. Die Post öffnet auch keine Briefe, um entscheiden zu können, welchen sie davon schneller als andere zum Empfänger transportieren sollte.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Mein Internet-Provider stellt mir meinen Anschluss zur Verfügung. Er ist darüber hinaus aber nicht in der Lage, zu entscheiden, welche Dienste für mich gedrosselt oder bevorzugt von Vorteil wären. Eine solche Entscheidung kann nur ich als Nutzer dieser Dienste treffen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Als Verbraucher und zahlender Endkunde benötige ich diejenigen Informationen über meinen Anschluss, die mir eine Beurteilung darüber ermöglichen, ob mein Provider die vertraglich zugesagten Leistungen auch tatsächlich liefert. Aus meiner Sicht wären dies die durchschnittliche Übertragungsrate meines Anschlusses, die Verfügbarkeit und - falls tatsächlich vorgenommen - die Bevorzugung und Drosselung einzelner Dienste und Anbieter. Liefert mir mein Provider auch Telefon- und TV-Dienstleistungen, so ist die durchschnittliche Qualität im Vergleich zum vertraglich vereinbarten Quality-of-Service auszuweisen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Patric Schirrmann

Name: Edward Mills / individual

Email: [edward@kidem.org](mailto:edward@kidem.org)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Again, all bits cost the same to transport.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Content providers that can't afford prioritization will be squeezed out. This will tend to be new, innovative sites.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None. Bits are bits

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, and not for advertising either

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. I pay for bandwidth, and all different types of bits cost the same to transport.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed and QoS should be part of the contract when I purchase service. It should be based on bits per second without regard to the type of bits.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Edward Mills / individual

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREK net neutrality guidelines creation into consideration.

My name:  
Carl Parish

Is there a demand for specialised services? Which services should be allowed this special treatment? (Emergency services (police, fire and ambulance emergency information/contact, with the consideration of coast guard and air ambulances, not VoIP, no commercial content streaming of any kind))

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Pros - Faster streaming and downloads from specific websites, better quality VoIP calls, faster Windows updates

(Massive) Cons - Slower browsing, streaming and downloads from majority of websites. Startups, small businesses, non-profits (basically any entity that isn't a large enterprise) would be unfairly disadvantaged as access to their services could be throttled to allow a competitor better quality of service.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No. This would provide large enterprises to have a huge and unfair advantage against almost any other entity who wouldn't be able to afford this. The only place this leads is low data caps for customers (meaning you would be limited to how many non zero-rated services you could use in a month). As data caps have been raised over the last ten years to allow many services to be viable (Netflix, Amazon Prime), it would be a huge step back to allow them to be lowered for everything but the largest of these services, also giving these services a huge competitive advantage over smaller, newer or cheaper options.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This communication is private unless otherwise stated. The idea that someone's private communication can be monitored solely for the purposes of traffic management is a huge overstep. There is no metric to measure how important any piece of traffic, so the idea that an ISP would be making this decision arbitrarily is worrying, especially as there will be some traffic they are unable to analyse (as it is encrypted).

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

You pay your ISP for an internet connection. Your premium for this is based on the connection speed you are meant to receive. What you use this for it entirely up to you, not the ISP. If the ISP doesn't have capacity to fulfill the contract they have with their customers then this is an issue with the ISP,

and the customer's traffic, irrelevant or content, shouldn't be effected, let alone throttled.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

There are few reasons not to be completely transparent about the service any business provides their customers, and traffic management/manipulation isn't one. If an ISP is worried they're practices will cause issue with their customers if it were to become public, then they should change their business practices.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Jean Cameron  
Email: [j-cameron@suddenlink.net](mailto:j-cameron@suddenlink.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No interference.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jean Cameron

Name: Anthony Doherty  
Email: [adohertyhome@gmail.com](mailto:adohertyhome@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

They absolutely interfere with my rights of choice, a zero-rating scheme would deflect my path towards their preferred vendor (i.e. those that provide them the most profit,) and deflect me away from looking for the new, innovative boutique vendors that I would prefer to shop with.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No it should not, ISPs should be utilities that provide access and have not interest in the content that traverses the lines. The internet should be thought of as just a new segment of the transportation system, as a means that allows us to interact as buyers and sellers, and we should not allow ISPs to interfere and control how the traffic flows, purely to multiply its ability to extract profit from the system.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Anthony Doherty

Name: Sergey Filatov  
Email: [ssfozz@gmail.com](mailto:ssfozz@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Sergey Filatov

Name: T Hamboyan Harrison  
Email: [taniahharrison@gmail.com](mailto:taniahharrison@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
T Hamboyan Harrison

Name: Abigaile  
Email: [abbywol80@aol.com](mailto:abbywol80@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They shouldn't be able to at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Abigaile

Name: Peter Zündorf  
Email: [pez1@netcologne.de](mailto:pez1@netcologne.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Ich sehe keinen Bedarf und befürchte eine "Verlangsamung" meines privaten Internet-Verkehrs.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
garnicht

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Peter Zündorf

Name: Liv Singh  
Email: [livsingh@gmail.com](mailto:livsingh@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No, confidentiality should be respected.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They should not interfere with my internet connection .

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Liv Singh

Name: Capital Funding LLC  
Email: [zscores35@gmail.com](mailto:zscores35@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Capital Funding LLC

Name: Darin Scriber Jr.  
Email: [dsscriber@gmail.com](mailto:dsscriber@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Maybe QoS for more latency-sensitive media, but that's it.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Darin Scriber Jr.

Name: Dieter Bischofberger

Email: [dibisch@gmail.com](mailto:dibisch@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? sure there is a demand on specialised services, but it should not be allowed.

Expection emergency services like Fire brigade, Police, and medical Rescue.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. Your ISP should tell you concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become less discriminatory simply because the provider is "transparent" about it in the consumer contract. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Dieter Bischofberger

Name: Jean Glassman  
Email: [jeg220@yahoo.com](mailto:jeg220@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, only in case of actual congestion, with complete content agnosticism

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Jean Glassman

Name: Judith Blair  
Email: [judithblair88@gmail.com](mailto:judithblair88@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There certainly is no such demand on the part of content users. Service providers are the only ones who would profit from variable rating schemes.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Startups and small operations would not be able to grow and expand their user base if they had to pay extra for their end-users to access their services.

Is there a demand for specialised services? Which services should be allowed this special treatment? Not on the part of end-users. This is all about profit for service providers.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. What I access online is my business. It's a violation of privacy to monitor what I do online.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Most of the podcasts I access are associated with public, member-supported radio. Obviously such outlets would not be able to afford the fees to purchase high-speed services. Since they would be less profitable in an environment in which content providers have to pay extra for smooth streaming, what I can listen to now without interruption would be caching every few minutes. Neither content providers or users should have to pay extra for smooth streaming.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know the actual speed of my connection, since my provider is always advertising its superior services and I can detect no difference after alleged upgrades.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Judith Blair

Name:

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Qos for video

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Real Throttling on services.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
undefined

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Sonja Waldgruber

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No services should receive special treatment. The access providers should not be allowed to handle traffic different based on service type.

Current specialized services could prevent future innovation. If the access providers differentiate based on the service they must inspect the traffic to identify the services, this could lead to another surveillance method and clearly identify encrypted traffic.

If zero-rating grows, this could lead to higher prices for neutral access and discriminate people with less money. This would widen the digital divide! If zero-rating services become the new standard, how would one argue to have rights for an affordable full access.

No, the ISP should never monitor the content and type of my traffic. The obtained data would immediately get used for further surveillance. And who decides what traffic is valuable and should have priority?

The ISP should offer a full neutral internet access and not interfere with my internet connection. I pay for the access and decide what services I use. The ISP should not decide which of the services I use are more important than others.

I would like to receive information of the actual speed and the availability. Each disturbance of the service, as the 8h reconnect, should be collected and if the down time reaches a certain value, there must be an automatic refund.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Paula Brennecke  
Email: [paulabren@cableone.net](mailto:paulabren@cableone.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Paula Brennecke

Name: Joseph R. Formisano  
Email: [japaelijah@yahoo.com](mailto:japaelijah@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
possibly

Is there a demand for specialised services? Which services should be allowed this special treatment? Emergency issues which effect the whole of the general population...

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO...!!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
All speeds equal

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of it

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Joseph R. Formisano

Name: Hans R. Burghardt  
Email: [haribu@posteo.de](mailto:haribu@posteo.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. habe ich mich noch nicht mit beschaeftigt

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Spezialdienste koennen die Innovation foerdern, gehen aber meist zu Lasten der Offenheit. Auch koennen sie die allgemeine Innovation behindern, wenn zu viele Spezialdienste vorhanden sind. Man muss das fuer jeden Spezialdienst gesondert pruefen und bei Gefaehrung der Offenheit oder Innovation die Einfuehrung evtl. verhindern.

o.k. die Zusatzinformationensagen schon einiges.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

medizinische Dienste, Rettungsdienste, Katastrophendienste und Teile der Sicherheitsdienste

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Ich bin gegen jede Ueberwachung meines Datenverkehrs

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Grunsaetzlich garnicht, allerdings koennte ich mir fuer Video-Streaming bzw. grosse Entertainment-Daten eine Drosselung vorstellen. Keinesfalls sollte er Grosse Datenmengen (Video, Fernsehen, Unterhaltung u.Ae.) bevorzugen (es sei denn, ich wuensche dies fuer meinen Anschluss). Das Internet selbst sollte alle gleich behandeln.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Grunsaetzlich ALLE Informationen (so kann ich entscheiden, ob ich Behinderungen des Internets vermeiden kann bzw. ob ich selbst wodurch behindert werde).

mit freundlichen Grüßen,  
Hans R. Burghardt

Name: Pete Wade  
Email: [DixieKingwade@yahoo.com](mailto:DixieKingwade@yahoo.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Pete Wade

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My company is Chris Marquardt Media.

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

I don't think any internet services should be allowed special treatment.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Giving specialized services preference will make startups and small companies less competitive.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

ISPs should only be allowed to do this in very narrow and specific cases that need to be very clearly and transparently defined.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

My ISP should not be allowed to do this at all. If there is a technical need to interfere with my internet connection, I want to know what is being done and why.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I would like to receive all information regarding my internet connection, especially the guaranteed speed, and how my traffic is managed.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Chris Marquardt

A very concerned citizen

Name: Michael Gardner  
Email: [gkee42@yahoo.co.nz](mailto:gkee42@yahoo.co.nz)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Definitely not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Michael Gardner

Name: Mr Marco Setiawan  
Email: [marcosetiawan@yahoo.com](mailto:marcosetiawan@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I believe there is no market demand for "commercial practices" such as zero-rating. It is there solely to benefit ISPs and corporations not internet users.

Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. For example, this system would influence me to view websites that has zero rating where data download is not counted against the monthly data quota. Perhaps there is a higher quality website out there but I avoid visiting it because viewing the website will reduce my monthly data download quota.

It sounds like you get something for free, but it makes your mobile operator become a gatekeeper and gives it a reason for lower monthly data caps.

Any commercial practices which limit user’s rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positives: more expert knowledge

Negatives: specialised services are usually costly e.g specialist doctors, specialist lawyers. Specialised Services risk becoming the paid fast-lane for big Internet companies that push every other website, idea and start-up into the slowlane.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't think there is a demand for specialised services from everyday user like myself.

In my opinion the military, intelligence agencies, government, banks and other large corporations already enjoy this special treatment. I guess they need it to stay on top of the food chain.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Nooo

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interfering with customers' internet connection. ISPs must provide equally fast internet to every user.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. Your ISP should tell you concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become less discriminatory simply because the provider is "transparent" about it in the consumer contract. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mr Marco Setiawan

Name: Pirooz Daneshmandi  
Email: [pirooz@eircom.net](mailto:pirooz@eircom.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Obviously big commercial enterprises such film studios or recording companies would prefer to have their content prioritised on the Internet and can afford to pay for it but that is against the democratic nature of the Internet, particularly considering the fact that the entire infrastructure of the Internet was developed by the state through public funds.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The impact of specialised services on future innovation and openness of the Internet would be negative because other mass media, it will be discriminated in favour of the wealthy and the powerful rather than anyone with a good idea.

Is there a demand for specialised services? Which services should be allowed this special treatment? There probably is a demand for specialised services for those with more resources who would like to get prioritised access.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know the speed, the quality of service and whether anyone else's connection is prioritised over mine.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Pirooz Daneshmandi

Name: s

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
VoIP bevorzugen, das war's

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er

den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,

s

Name: Nikolai Hartmayer  
Email: [antonionikolai@gmail.com](mailto:antonionikolai@gmail.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Sie können meine Rechte als Endverbraucher einschränken, wenn ich gezwungen bin Youtube zu nutzen, da dies mein Datenvolumen nicht beeinflusst.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Negative Einflüsse sind weniger Innovation, das Zurückhalten von neuen Firmen und Ideen, das Bevorzugen von großen Corporations. Positive keine

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein, gibt es nicht. Es gibt Bedarf an ausgebauter Netzinfrastruktur

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, auf keinen Fall

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Er sollte dazu nicht in der Lage sein

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Traffic-Management

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den

Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Nikolai Hartmayer

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

No. We should simply advance the infrastructure.

My name/organisation:

Vroni Retzer

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

Functions which are absolutely rrequire stable connections must ensure these connectens elsewhere, but not via the internet.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

I don't think so. And there is no need to open up possibilites which are unnecessary.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Likely normal traffic will be on the slow track and everyone who cannot afford to pay extra such as civil (NGO) organizaitions or start ups or simply citizens will be pushed aside. Thus the internet degrades to a business net for large multinational corporation. This is unfair as these have more power already.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

No. Commercial practices should not be those who limit others. For the functioning of our society civil organizations (see above) are much more important.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No! No! No!!!

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

Not at all. This is private content and should be protected by the privacy of correspondence. Nobody should interfere with it.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Depends on who defines which content is how time sensitive and how this is regukated and controlled. As this seems rather complicated, I'd say:

yes.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Vroni Retzer

Name: Reuel Sherwood  
Email: [reuels@yahoo.com](mailto:reuels@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Wealthier and/or larger companies will end up controlling both content and access. This would be the OPPOSITE of "neutrality"

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The "average" or "common" man would be forced into 3rd class citizenship on the net

Is there a demand for specialised services? Which services should be allowed this special treatment?

Above all 911 services, and if ever secure enough voting.

But certainly ONLY services that provide for the universal public good

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

FASTER universal service - why is the country that invented and created the internet so low on the list of countries with fast universal service and yes, I'm talking about taking a back seat to South Korea ! ! !

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The purpose of the internet is communication it is NOT Spying

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

This is Electronic PREJUDICE, nothing less

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Reuel Sherwood

Name: Matt Ringquist  
Email: [mattx20@live.com](mailto:mattx20@live.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Loss of freedom of speech and lack of many other things

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Matt Ringquist

Name: Tommy Dignan  
Email: [tdignan\\_123@hotmail.com](mailto:tdignan_123@hotmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

In a word, no. There are adblocks and antiviruses. There is no need for a "zero rating" system.

Is there a demand for specialised services? Which services should be allowed this special treatment? No services should be receiving special treatment because they are affiliated with big business. I couldn't care less about how much money you're making as long as you entertain me. If you honestly think that the internet should be more like cable television, you have the right to your opinion. But consider this, wouldn't it be cool if you could watch good stuff for free, and to create things without restriction imposed by a legal team, or a writing room staff. I mean, some may like that. I'm merely suggesting that sometimes you need to create whatever you want. fanfiction, reviews, whatever, and with an open internet, you can do that.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Well, we already know that it has desensitised people to things like racism and sexism. So I won't pretend that the internet as it is now is perfect. But with an open internet creativity is allowed to flow freer than anything else has in the past. For instance, I could conjure up a pilot to a sitcom, put it up on youtube, and I have an audience. I couldn't do that with television. I propose a question. Why would you forgo the opportunity to meet new, potentially great people online, no matter how safer it might be just to have big business protect you from them? The positives of the open internet far outweigh the negatives of the internet.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would only like to know how fast it goes, how transparent it is with my information. (I'm not exactly fond of the idea that someone is watching me, it's just unnerving.) And I would want the internet to just be left alone. I don't want it demonised, but instead, embraced. Yes, it's imperfect, most things are. But there are those who fear the future, and those who are open to it, and the latter usually prospers.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They shouldn't do any kind of throttling as this would be false advertising when an ISP (say Sky) say that they have the fastest internet. When in truth, they throttle you a lot. Ideally, the internet should work like water or electricity, nobody interferences with it, just have people pay for it. Like any other public service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP's should not be monitoring people without a search warrant, and even then, people who had a history of doing unsavoury things online. It's not exactly ethical for them to be given police like powers just so they could look through what I do online. What happens is my business.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Tommy Dignan

Name: Andreas Voeth  
Email: [andreas@avoeth.de](mailto:andreas@avoeth.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ein solcher Bedarf ist nicht gegeben. Mit Zero-Rating wird ein Kunde zur Nutzung eines Dienstes oder Angebotes gedrungen. Andere Dienste werden damit in Ihre Position am Markt gleich mehrfach beschränkt. Einmal wird es Ihren Kunden erschwert den Dienst zu Nutzen, andererseits wird Ihre Konkurrenz indirekt durch die Anwendung von Zero-Rating (in diesem Fall der bevorzugte Dienst) beworben.

Ein konkretes Beispiel ist ein von mir mit gegründetes Startup. Per App wird es Lieferunternehmen ermöglicht ihren Fahrern Tourenpläne und Artikellisten zukommen zu lassen, andererseits wird die gefahrene Route des Fahrers festgehalten und kann vom Unternehmen ausgewertet werden um effizientere Routen zu plane. Dazu ist Mobiles Internet erforderlich. Die Telekom selbst hat mit dem Unternehmen Novum eine Zusammenarbeit für diesen letzten Punkt, Tourenverfolgung und Optimierung (<https://geschaeftskunden.telekom.de/startseite/320442/novum.html>). Ein bevorzugen dieses Datenverkehrs wäre für unsere Kunden ein Grund auf das Produkt der Telekom zu wechseln und damit ein schnelles Ende für unser Startup. Damit würde lediglich eine Monopolstellung für wenige große Betriebe durch solche "kommerzielle Praktiken" gefördert, unabhängig von der Innovation oder dem Leistungsumfang eventueller Konkurrenten.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Spezialdienste würden Offenheit und Innovation beeinträchtigen. Offenheit wie auch Innovation bedeuten insbesondere auch das neue, noch nicht durch Spezialdienste optimierte Anwendungen oder Angebote gleiche Möglichkeiten haben müssen. Eine Spezialisierung auf bekannte Dienste würde diesen neuen Diensten von Anfang an eine zusätzliche Hürde auferlegen. Ein neuer Dienst würde indirekt beeinträchtigt werden indem bereits bestehende Dienste durch Optimierungen bevorzugt werden. Um diesen also tatsächlich aus Perspektive der Kunden der Telekommunikationsanbieter gleichwertig zu machen müsste auch der neue Dienst von Anfang an mit entsprechenden Optimierungen gestaltet werden. Das allerdings widerspricht dem Begriff "Spezialdienst" in seiner offensichtlichen Bedeutung. Es wird also durch die Einführung von Spezialdiensten eine Hürde für neue Ideen geschaffen und dadurch Innovation wie auch Offenheit ganz klar negativ beeinflusst.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Aus eben genannten Gründen: nein und keine. Dazu kommt noch die Notwendigkeit der bereits in einer anderen Frage behandelten "Deep-Packet-inspections" um Spezialdienste überhaupt umzusetzen und den Problemen beim Anwenden dieser Technik.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein. Eine solche Überwachung führt unweigerlich zu einer Verzögerung der Auslieferung der Pakete im ersten und kann einzige der Ungleichbehandlung der Pakete im zweiten Schritt dienen. Die Ressourcen welche für eine solche Inspektion notwendig sind können für alle besser in den Ausbau

der Kapazitäten investiert werden. Weiter ist nicht jeder Datenverkehr dadurch erfassbar. Insbesondere (aber nicht ausschließlich) verschlüsselte Daten können dadurch nur unzureichend klassifiziert werden. Eine fehlerhafte Einschätzung bei der Klassifikation hätte aber dann eine ungerechtfertigte Falschbehandlung des Datenpakets zur Folge.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Jede Form des Einflusses auf meine Datenübertragung durch einen Provider ist abzulehnen. Ob z.B. ein Video zum Vergnügen, zur politischen Bildung oder aus wirtschaftlichem Interesse übertragen wird ist für den Provider genauso wenig zu erkennen wie ob ein Anruf privat oder geschäftlich, eine besondere Dringlichkeit hat oder jederzeit wiederholt werden kann. Diese Informationen gehen nur aus dem Inhalt und dem Kontext hervor, welche dem Provider ohne ausgiebige Überwachung entgegen dem Datenschutz nicht in jedem Fall zur Verfügung stehen kann.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Mindestens folgende Informationen halte ich für essentiell:

- Übertragungsraten (Minimum, Maximum und Durchschnitt) in einer technischen und einer allgemein verständlichen Form (anhand von z.B. Beispielanwendungen die damit sicher möglich sind)
  - Ausfallsicherheit (Durchschnittliche und maximale nicht Verfügbarkeit des Dienstes in der Vergangenheit)
  - Alle Angaben sollen möglichst leicht nachvollziehbar sein. Das wäre zum Beispiel durch eine Providerübergreifende und einheitliche Nomenklatur einfacher, da hier ein potentieller Kunde leichter die verschiedenen Angebote vergleichen kann.
  - Eventuelle Grenzwerte und der Umgang mit diesen. Auch hier sind klare Beispiele eine wichtige Voraussetzung.
  - Bei technischen Problemen sollten dem Kunden alle Informationen die mit der Übertragung in Verbindung stehen soweit nötig um das Problem zu beheben angegeben werden.
- Bei mobilen Netzen: Die Abdeckung (Fläche) des Angebotes nach Möglichkeit auch innerhalb eines bestimmten Bereichs

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den

Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Andreas Voeth

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Dr. med. univ. Alexander Egkher

University/Medical University of Vienna - Austria

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised service has no need in nowadays with powerfull data-highways. It is a tool to controll and - then manipulate the mankind!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: George Schneider  
Email: [grs92138@gmail.com](mailto:grs92138@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
George Schneider

Name: Brian Stanley  
Email: [tasakeru@yahoo.com](mailto:tasakeru@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no such demand. This is marketing speak to justify trampling on people's rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

An open Internet is crucial to the growth and innovation of all civilized countries.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. People have a fundamental right to privacy, online and in real life.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should only be able to deliberately interfere with paid service in the cases of confirmed criminal activity.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Brian Stanley

Name: Katherine Holmes  
Email: [cookieblondie@gmail.com](mailto:cookieblondie@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Katherine Holmes

Name: Filip Fafara  
Email: [filip.fafara@gmail.com](mailto:filip.fafara@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Voice over IP might be allowed special treatment as a class of service due to low latency requirements. However, all VoIP traffic - independent of the provider - should receive the same quality of service.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I would prefer ISP to treat all traffic equally. Zero-rating favors certain market agents and creates a hostile environment for competition.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISP should treat all traffic equally.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All connection parameters should be easily accessible for customers.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Filip Fafara

Name: AARP

Email: [ltreat142@gmail.com](mailto:ltreat142@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I'm not exactly clear on this.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive: Encourage competition among providers

Negative: Limit Internet activities of citizens of lower incomes.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't think so.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The last thing the Internet needs is "traffic management." The Internet was set up to facilitate creativity and artistic expression. All great ideas have had their origins in grassroots creativity. Creativity has always come from the ground up--not the other way around. If you should ever inhibit this creative process in any way, you will lose grassroots participation, and your money-making Internet will become a dry and sterile place, indeed.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Should NOT be able to do so.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
AARP

Name: Iain Simms

Email: [save.the.internet@iainsimms.me](mailto:save.the.internet@iainsimms.me)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't believe that any customer wants discrimination of any kind in their service; zero-rating Netflix for example penalises other streaming media providers and has no technical basis, as they all operate using the same basic technologies. ISPs don't need to know who I'm connecting to, why, or what I'm downloading; their sole view of my traffic should be in the form of UDP/TCP packets.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Free services will be arbitrarily penalised for being unable to pay for zero-rating, it will also create an increased barrier to entry for smaller companies as users will avoid them in favour of services that cost no additional money.

That said, bandwidth caps in general should go away entirely, as there is no real basis for them and zero-rating is only a thing because of them.

Is there a demand for specialised services? Which services should be allowed this special treatment? No and none. All of my routers and switches over the past 10 years have supported some form of Quality of Service to improve performance of streaming media and so-on, nothing additional should be required at the ISP level.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. If I'm using too much bandwidth then throttling is understandable, but it shouldn't matter what I'm using that bandwidth for; if my rate is lowered than Quality of Service will handle the rest.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. If my packets have Quality of Service values then they should respect those, otherwise everything else should be treated equally.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it, and it should be provided clearly and easily during purchase.

I'm currently with Virgin Media but was deeply disappointed to learn of their throttling behaviour, which essentially limits me to about an hour or so of full-speed access before my rate is lowered to 25%; since I can't easily limit the speed of some apps this means I can become throttled just by downloading a single episode of a TV show, which is just arbitrary and inflexible. This wasn't a condition under Telewest (who I originally signed up with and were bought by Virgin Media).

If I were buying a new connection today I'd be very wary of anyone that has traffic limiting of this type, and I don't think it's fair for "unlimited" internet to hide their traffic management policies in some FAQ or support document somewhere.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Iain Simms

Name: A. Robeck  
Email: [alijabaro@gmail.com](mailto:alijabaro@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, das möchte ich nicht.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Ich möchte selbst entscheiden können, was ich mit meinem Internetanschluss mache, solange es nichts rechtswidriges ist. Ich zahle für eine gewisse Geschwindigkeit. Diese möchte ich jederzeit nutzen können und nicht von "oben" oder "hinten" .... dirigiert und beeinflusst und bevormundet werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
A. Robeck

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:

Arsenijs Picugins

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

No, no, no to infinity. The US government gave internet technology to these present providers. The providers agreed to providing internet service to certain designated areas for all its customers. They have not provided this and the government has not enforced it. The internet is there to provide service to its monopolized area customers plus a small profit just like public telephone service to the population. The internet and/or telephone industry was never meant to be commercialized. It is supposed to be for the common good of the country's citizens, not to make billions of dollars for a commercial entity.

My name/organisation:  
Joyce & Jerry Hansen

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

No "specialized services" should be offered ever. All ISP customers have the same service for the same price not "specialized service" for those who can afford the extra money it will cost them. "Specialized services" will limit access, competition, innovation and increases the power of the ISP monopolies.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

There can be NO "specialized services". If there is demand for "specialized services" they should not be considered "specialized services" but be provided to all customers of the monopoly ISP to all its customers for the same price. Without this, we would not have a free and open (not optimized) internet and lack the freedom we now have to make our own choices. "Specialized services" would bring the demise of our free /open internet, which is what happened to our free television that we used to have. Television is almost dead because of its monopolistic practices.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is NO Positive impact for ISP customers. Only a limitation of services and choice. The positive aspects of "Positive impacts" is more money, power, profits and control of customers and content for the ISP's, which would eventually lead to it's demise, just like television. Someone in the future will invent something better than the internet that is not monopolistic because the people. customers want freedom of choice and monopolies do not allow that. That is why it is so important to keep our internet open and free with no monopolies.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

Commercial practices already do limit my rights as an end user. ISP's are rich, strong, powerful

monopolies that try and do make their own rules, to their benefit, not their customers. No ISP customer can compete or use their rights even now. But, the purpose of the internet is/was to enable democracy and the ability to compete with one another openly. No ISP customer can compete with an ISP, but they should be able to compete.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No government, intelligence agency (including police, FBI, NSA, etc.) or ISP should ever be allowed to read, monitor any ISP customer content or data/transmissions (for any reason). If an ISP, government agency, contractor, etc. wants access, they should be required to get a warrant from a US court (judge not fisa) after they present specific evidence such warrant is necessary and the warrant should specify the information, evidence that they specifically will be looking for. No open warrants.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

There should be NO interference allowed. All internet connections and service should be equal for all. There should never be a prioritization or de-prioritization, period. ISP's should provide excellent service to all and every customer.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Yes, it is both limiting and discriminatory for everyone and should never be allowed!

What would you consider to be "reasonable" traffic management measures? How can "unreasonable" traffic management measures affect you as a users? Please, provide examples.

ISP providers should provide their customers with adequate infrastructure and technical expertise so that traffic management would never be necessary. This is what ISP profit is for, to improve infrastructure and services, not to just pocket all profits.

What information would you need to make an informed decision about your Internet connection?

For example: traffic management; commercial practices or technical conditions?

Traffic management, commercial practices or technical conditions are parameters and information that should be provided to customers by the ISP, as long as they don't violate any laws or net neutrality. ISP customers and their providers should work together using best practices.

What information would you like to receive about the speed of your Internet connection?

Anything about speed (upload, download, etc.) that might help me utilize speed and maximize it.

250kb of speed is what we are stuck with, with our ISP monopoly. I've heard some have as much as 2gb for speed. Monopolies don't provide that here.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

Yes, all parameters should be defined in the contract. It should be written in easy to read and understand language and have a way to contact a "knowledgeable" customer service representative that fluently speaks your native language.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:  
Jonas Klaus

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: plan2.net - OpenSource, Consulting, Implementation

Email: [gk@plan2.net](mailto:gk@plan2.net)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
NONE.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There are no positive Impacts, only negative ones.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NOT at all !

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
plan2.net - OpenSource, Consulting, Implementation

Name: Thomas Volkmann  
Email: [thomvolkmann@aol.com](mailto:thomvolkmann@aol.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Geringe Leitungsgeschwindigkeiten, wenn Leitungen von Lobbyisten freigehalten werden!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Man ist als Bürger noch gläserner

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?

Kein Bedarf an Spezialdiensten

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Es soll überhaupt nicht vom Internet-Provider gedrosselt werden!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Geschwindigkeit, Traffic-Management, Quality-of-Service

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Thomas Volkmann

Name: Mike Benson  
Email: [mbensonster@gmail.com](mailto:mbensonster@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, all interference in internet access limits my freedom of speech and ability to make informed choices

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can't see any possible positive impacts

Is there a demand for specialised services? Which services should be allowed this special treatment?

No demand here

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, we need to keep the internet as open as possible in this age of government surveillance

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

High-speed internet should be viewed as a basic right and kept free of all management

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mike Benson

Name: Dr Ray Lightbown  
Email: [ray.lightbown62@gmail.com](mailto:ray.lightbown62@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I do not believe that certain services should have special treatment at the detriment of individual use of the internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Price discrimination offers access to limited parts of the internet and discriminates against freedom of expression and communication and stifles competition and innovation.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating limits the free expression and communication of individual users. This violates the object and purpose of the Regulation in safeguarding open access. Commercial use of the internet should not allow certain services or traffic to be prioritised or restricted.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

How individuals use the internet should be determined and regulated by each individual's choice. An ISP should not be able to prioritise certain types of traffic or to limit other types of traffic.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Monitoring the content of individual traffic on the internet is an invasion of personal privacy and liberty. The whole concept of the internet from its origins was to foster free exchange and sharing of individual information, perspective and opinion. These ethical principles must be maintained and "free speech" upheld.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

There should be transparency in access to information about each users internet connection, such as speed, quality and management.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Dr Ray Lightbown

Name: Andrea Siro Magnani  
Email: [andreasiro@gmail.com](mailto:andreasiro@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Only valid for provider-related services, not for third-party services (e.g. facebook).

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Kill diversity of the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment? Demands of services changes overtime, so no one should be allowed any special advantage.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

The more, the better.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Andrea Siro Magnani

Name: Fco. Carlos

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

¿Existe una demanda de "prácticas comerciales", tales como el Zero rating? ¿Limitarían éstas tus derechos como usuario final? Por favor, proporciona ejemplos si es posible.

Si, me parece altamente discriminatorio hacía el usuario, además creo que las operadoras deberían de enfocarse únicamente a mejorar velocidades, precio y ping

¿Existe una demanda de servicios especializados? ¿A qué servicios se les debería permitir este tratamiento especial?

Ninguno

¿Debe permitirse a los proveedores de acceso a internet monitorizar tu tráfico, incluyendo su contenido (por ejemplo, mediante la inspección profunda de paquetes) para llevar a cabo la gestión del tráfico?

No, que lo hicieran de forma anónima ya me parecía poco ético

¿Cuánto debería ser capaz tu proveedor de Internet de interferir en tu conexión a Internet - por ejemplo, para ralentizar o priorizar determinados tipos de tráfico online (vídeo, P2P, etc.)?

Absolutamente nada yo estoy pagando el tener un barco con X velocidad , no quiero que cobren + por ir a un sitio u otro

¿Qué información te gustaría recibir respecto a tu conexión a Internet, por ejemplo sobre la velocidad, calidad de servicio o cómo se gestiona el tráfico?

Calidad y velocidad como mucho

Si se autoriza a los proveedores de acceso a Internet a cobrar por el tratamiento preferencial, tienen un incentivo para dejar de invertir en la capacidad de red para el Internet "normal" y reducir sus límites de datos para empujar a sus clientes a utilizar cada vez más los servicios especializados. Este efecto sería perjudicial para las minorías, las personas desfavorecidas y las nuevas empresas que no pueden permitirse pagar por un acceso especial a todas las redes que les permita llegar a sus clientes, así como el desarrollo del ecosistema libre, abierto e innovador de Internet.

La diversidad y la capacidad innovadora del ecosistema de Internet se basan en su bajo coste para la innovación y bajas barreras de entrada al mercado. Estos principios aseguran desde el primer día que toda empresa, start-up o servicio no comercial - sin importar su humilde tamaño o financiación - tenga el potencial de alcanzar una audiencia global de igual manera que sus competidores. Esta fuerza impulsora para la prosperidad y la diversidad de la economía online sólo puede asegurarse con un Internet abierto, neutral y no discriminatorio. Si se permite que los proveedores de Internet puedan interferir en las decisiones de sus clientes, mediante la discriminación económica o técnica, se pierde esta libertad esencial. De acuerdo con la consideración (1) del Reglamento sobre la neutralidad de la red, la legislación ha de ser interpretada a la luz de estos objetivos.

La discriminación económica (Zero rating) interfiere en mi derecho, en virtud del artículo 3(1), de acceder y en particular de distribuir información libremente. Si un proveedor de Internet discrimina

entre proveedores de contenidos, aplicaciones y servicios haciéndolos desigualmente accesibles a través de su servicio de acceso a Internet está constituyendo una injerencia arbitraria en la esencia de mis derechos. Por otra parte, esta práctica restringe mis derechos en virtud de la Carta de los Derechos Fundamentales (artículos 11, 15(2), y 16). Por lo tanto, la discriminación económica no debe permitirse bajo las directrices del BEREC.

La transparencia no puede, según lo propuesto por la Comisión en su proyecto inicial del Reglamento y posteriormente rechazado, ser considerada un antídoto para los comportamientos anti-competitivos por sí sola. La transparencia tiene un alcance limitado en la solución de problemas, sobre todo en este contexto.

El Reglamento permite la existencia de servicios especializados únicamente bajo estrictas condiciones y garantías. El artículo 3(5) y la consideración 16 requieren que la optimización de los servicios especializados sea objetivamente necesaria para la funcionalidad de características clave de servicio. Este no puede ser el caso de servicios capaces también de funcionar en el Internet abierto, de entrega al mejor esfuerzo (best effort). Por otra parte, la consideración 16 impide que los servicios especializados sean utilizados como elusión de las normas sobre neutralidad de la red para la gestión del tráfico. Cualquier desviación de estas garantías de seguridad para ampliar la aplicabilidad del concepto de servicios especializados causaría inevitablemente un aumento de las barreras de entrada al mercado y por lo tanto debilitaría el potencial innovador de Internet en su conjunto.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

Kind regards,  
Fco. Carlos

Name: Tilman Vogel  
Email: [til.vogel@web.de](mailto:til.vogel@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ideen im Sinne eines "Zero Rating" sollten keinesfalls für kommerzielle, sondern allenfalls für unkommerzielle, gemeinnützige Dienste, wie z.B. Wikipedia gestattet sein.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Internet-Provider sollten z.B. nicht das Recht haben, E-Mails sprachlich zu analysieren oder Verhaltensprofile aufgrund der individuellen Präferenz der besuchten Webseiten zu erstellen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Ein Internet-Provider sollte nicht die Möglichkeit haben, bei der Nutzung des Internets bestimmte Datenübertragungen gezielt zu benachteiligen oder zu bevorzugen, zumindest sofern es nicht um eine richterlich angeordnete Verhütung von Rechtsbrüchen geht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)? Als Internetnutzer möchte ich über Geschwindigkeit und Quality of Service in transparenter und differenzierter Weise unterrichtet werden. Ich möchte realistische Angaben (Durchschnittswerte) und Beispiele für das zu erwartende Funktionsniveau gängiger Internetdienste (z.B. Internettelefonie) erfahren.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Tilman Vogel

Name: Fábio Hipólito  
Email: [fabio.hipolito@gmail.com](mailto:fabio.hipolito@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there is no need for the zero-rating to end-users. On the other hand, it is clear that this will inevitably drive users to zero-rating services/app and introduce an artificial bias on interaction between users or customers. This potential outcome is strongly desired by some institutions as a tool for monopolization.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I fail to see any long term benefit from specialised services. In fact, I see the opposite, a plethora of negative impacts, which will exacerbate bias on opinions and consumer trends. This as the potential to generate a major negative impact on critical thinking and innovation. For innovative products and solutions to succeed we need not only people thinking out of the box, but also a platform where information is equally accessible to all, regardless from the dimension of the entity, person and or company behind any content.

Is there a demand for specialised services? Which services should be allowed this special treatment? No, I do not see demand such services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, ISP must not be allowed to monitor clients and other users information, including metadata, for the purpose of traffic management.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They must not be allowed to interfere with internet connection.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

In addition to speed and quality of service, ISPs must declare how often and on which basis they read and/or costumers data with third parties.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Fábio Hipólito

Name: Patricia McNabb  
Email: [pmcnabb@comcast.net](mailto:pmcnabb@comcast.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
I don't appreciate throttling or prioritizing any type of online traffic.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Patricia McNabb

Name: Jeremy Williams  
Email: [jeremy.bet.williams@gmail.com](mailto:jeremy.bet.williams@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is a demand primarily from large scale content providers however this would be very detrimental to the consumer's internet experience.

I should not have my ISP deciding what parts of the internet I should have access to based on where they will make the most money.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

All portions of the net should be treated equally.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

By having the ISP deciding which parts of the internet to prioritize you are already biasing the user experience against all other portions of the net and thus potentially stifling innovation as smaller companies/websites would not have the priority.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I believe the consumer should not have any information hidden from them.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. ISPs monitoring the content of my traffic is a violation of my privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jeremy Williams

Name: Leslie MacKwwn  
Email: [Sterlingaeroservices@yahoo.com](mailto:Sterlingaeroservices@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
not sure

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No special rules

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Just good service

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Leslie MacKwwn

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Alexander Rossi / Actor

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

ALEXANDER ROSSI

Name: Adam Koranyi, City University of New York

Email: [adam.koranyi@lehman.cuny.edu](mailto:adam.koranyi@lehman.cuny.edu)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I am quite sure these practices are in the interest of some firms. But they are working against the great majority.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It will become less useful, and most people will notice it.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't know if there is a demand. I am against them.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I'd like to have such information easily available and be sure of its reliability. (I don't want it to be rammed down my throat.)

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Adam Koranyi, City University of New York

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

John Meade

Name: Cory  
Email: [ricketts.cory@gmail.com](mailto:ricketts.cory@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No way.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Cory

Name: David Paul  
Email: [davidjpaul@yahoo.com](mailto:davidjpaul@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

ISP's are creating a demand for zero rating schemes, as they have chosen a "winner", and we as end users will either use the chosen service or suffer huge overage bills from our ISP.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

"Specialized services"? That sounds like another way for ISP's to pick a winner and provide content faster for those chosen few. It means slow lanes for those who will not, or cannot pay their extortion fees.

Is there a demand for specialised services? Which services should be allowed this special treatment? There is no end-user demand for special services. We want equal access to all sites. No one should be allowed special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I believe in the privacy of users and their internet traffic. Anything less is not only an invasion of privacy, but steps towards a spying state.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero interference

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know the speed I am paying for, and if there is any sort of traffic management, or websites being blocked.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
David Paul

Name: Daniel Grantham  
Email: [dannygr@hawaiiantel.net](mailto:dannygr@hawaiiantel.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If a provider is able to make it harder to access the services they don't profit as much from, and make access easier to the ones that profit them more, there will be no such thing as free and open communication on the internet. Imagine if your phone service was harder to friends and easier to businesses.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any time we allow special service at a higher cost, it will dilute the access and speed of the rest of the users. We need to attain and keep good access for all before anything else.

Is there a demand for specialised services? Which services should be allowed this special treatment? Emergencies, some kinds of health and safety information, alerts to dangers. Never simply for profit or convenience beyond the services already available to everyone.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only in emergencies, just like an ambulance needing to get through.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Yes, and it should be plainly stated and easy to understand.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Daniel Grantham

Name: Karsten Guth  
Email: [karstenguth@gmail.com](mailto:karstenguth@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes this absolutely would impede on my rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

This is a much more logical approach to traffic prioritization.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Medical services and certain government operations.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Prioritizing internet traffic is a slippery slope that can quickly result in information suppression. We cannot begin down that slope.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No I do not believe any entity should be able to monitor massive amounts of online content.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Karsten Guth

Name: Dennis Larsen  
Email: [nejira@imagica.dk](mailto:nejira@imagica.dk)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No the ISP should not be allowed to monitor traffic, including content for any purpose.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero procent.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Dennis Larsen

Name: Stephanie Stout  
Email: [marquessademuret@yahoo.com](mailto:marquessademuret@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating should not be allowed. No service should get privileges over any others. That would allow rich customers to undermine civic forums, individual users, small companies, etc.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The Internet must remain free, open access, uncensored, and neutral. Nothing else is acceptable. Rich telecoms should not be allowed to run roughshod over small and individual users.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No special treatment should be allowed.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP's should not interfere with content or be allowed to give faster speeds to premium customers. The Internet is a PUBLIC UTILITY and should be regulated as one.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Stephanie Stout

Name: rc

Email: [cooperformula1@yahoo.com](mailto:cooperformula1@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

obama is a war criminal

Is there a demand for specialised services? Which services should be allowed this special treatment?

obama is a war criminal

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

obama is a war criminal

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

rc

Name: Nancy Kilgore  
Email: [nncklgr@outlook.com](mailto:nncklgr@outlook.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No there isn't

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. I should have the right to privacy on the internet.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Nancy Kilgore

Name: George L. McDowell  
Email: [geomcd1949@gmail.com](mailto:geomcd1949@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Big dogs get bigger; smaller dogs remain the same size--or wither.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
The demand is supplier driven.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Yes, as long as the owners of the ISPs allow me to monitor their Internet usage.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All information available to the ISP itself.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
George L. McDowell

Name: judith cohen

Email: [jctcohen@yahoo.com](mailto:jctcohen@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
judith cohen

Name: Theodor Sommer Partei FREIE WÄHLER

Email: [ts\\_mks@web.de](mailto:ts_mks@web.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Wenn nur gegen Geld ein schnelles Netz frei geschaltet wird fallen alle andern nach hinten.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, meine Daten gehen keinen anderen was an.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Jeder soll Video streamen können aber muss keine Bibliothek laden können. .

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann

nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Theodor Sommer Partei FREIE WÄHLER

Name: Marie Christina Magalas  
Email: [nokomarie@hotmail.com](mailto:nokomarie@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Marie Christina Magalas

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\* Very few: Emergency calls, warnings about earthquakes or nuclear powerplant issues etc. It is debatable, if this really needs special treatment at all.

\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\* Zero-rating harms startup companies and non-commercial offerings.

In the end, zero-rating shifts the payment: The ISP is no longer paid in terms of money only but also in terms of bound customers.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No way. My data is my private issue. This may not be analyzed by any private company. Also secret services / police should be allowed to inspect anyone's traffic only in individual cases under strict regulations (e.g. quick freeze). NO inspection without a judge being involved for that particular individual case. Everything beyond that harms the society (which is currently happening).

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\* This is something my DSL modem can do as well, if I have demand for that. The ISP shouldn't do anything here.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that

cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: virginia rice-coughlan  
Email: [ginnyvmrc@gmail.com](mailto:ginnyvmrc@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I believe that zero-rating could potentially cause the small user such as myself to experience serious slow-downs.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The positives would all belong to the high traffic, the corporate and the rich. The negatives would mean the small end-user would have a difficult, negative, obstructed, slowed experience.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I think that there are large companies trying to push through laws which would favor them.

Emergency services should have a fast-lane. There would need to be standards set for the designation of being an emergency service, to avoid it becoming just another loophole for the rich and powerful.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The internet needs to be an open highway, without tool-booths.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Those parameters, (speed, how my traffic is managed, etc.), would be good information to know in order to make decisions such as those in this questionnaire.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
virginia rice-coughlan

Name: Christopher Retsch

Email: [c-retsch@web.de](mailto:c-retsch@web.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

Nein

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Das Ende der Offenheit

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
keine!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

alle

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Christopher Retsch

Name: Ralf Heini  
Email: [heini@posteo.de](mailto:heini@posteo.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I see no demand. I wish a fair-flat for all usecase.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I don't know what a special service should be. I think there is not enough netneutrality in the European Union right know.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not much. Only critical stuff.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I wish information about speed, quality of service, traffic management and minimum bandwidth.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Ralf Heini

Name: Martin Kohlmann  
Email: [martin-kohlmann@web.de](mailto:martin-kohlmann@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
alle verfügbaren

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Martin Kohlmann

Name: Steve Ditore  
Email: [zykotek@gmail.com](mailto:zykotek@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

This would be a severe invasion of privacy, and possibly criminal. It would inevitably result in more bothersome "spam" in e-mail and likely more paper mail as well.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP should operate in the public interest primarily, and not be allowed to favor users on the basis of profit or business relationships. The Internet was created with U.S. taxpayer money, and given away to the world as a benefit for ALL, not just corporations.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Steve Ditore

Name: Kevin Dulnik  
Email: [shumiry@gmail.com](mailto:shumiry@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Not among the people. Which is obvious from its name. The very name of the service is "Specialised", meaning that it only exists to serve specific individuals. For the vast majority of internet users, such a service would only serve to hamper their experience.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If there are sections of the internet that can be "walled off" because you or they do not have sufficient "subscription" or haven't paid enough money to get into the "fast lane" of the internet, then your ability to research and to gain information is lessened. Less available information means less innovation and advancement by simple virtue of the fact that a major component of any invention is research into existing products and services and the ways in which they fail to meet a demand or demands.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None. I don't care if there is an emergency or if they're simply being offered more money by someone else. I'm paying for a service, and a contract which we've established, and I expect that to be honored.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Absolutely. Such information should be readily available.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. It's the same principal as somebody having the right to listen to my private phone calls, read my mail, read my email, browse my personal files on my computer, read my journal, etc etc, without my permission. It's an invasion of my privacy, and even though I feel I have nothing to hide, I also believe I deserve to have the freedom to choose who does or does not get access to my personal information.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Kevin Dulnik

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

A concerned citizen

Didier Eeckhout

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Patrik Neu

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

When there are specialized services, they take up space for future innovations, so those will not be able to establish.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It is not good for other services providing a similar product. New companies will not be able to get users because the user is tied to one service. No user wants to use a service which is not included when there is one offering a similar product and is included. An example would be a music streaming service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

This is a deep insight in the privacy of a person and should be prohibited.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

When doing this your right on internet will get harmed and one will not get the freedom offered by the internet.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Greg Sells

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Unsure

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed, quality, traffic management

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Greg Sells

Name: Gerhold Reitmeier  
Email: [reitmeier@arcor.de](mailto:reitmeier@arcor.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Die Einführung kommerzieller Praktiken ist das Ende des "freien Internets".

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Finanzstarken Teilnehmern wird Tür und Tor für Manipulationen aller Art geöffnet.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Ich sehe keinen Bedarf.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Die tatsächliche Up- und Download-Geschwindigkeit.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Gerhold Reitmeier

Name: Gregor Ruso  
Email: [g.ru@gmx.com](mailto:g.ru@gmx.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele, wenn, dann ausschließlich für mobile Internetverbindungen

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

es wird eine eklatante Verschiebung des Traffics hin zu wenigen großen Anbietern geben. Diese werden folglich weitgehend die zur Verfügung gestellten Informationen kontrollieren

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Audio und Video Streaming sollte problemlos ermöglicht werden, aber den gleichen Stellenwert besitzen wie jeder andere Traffic

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, auf gar keinen Fall

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Die tatsächlich erreichte Geschwindigkeit

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Gregor Ruso

Name: James Frenkel  
Email: [jim.frenkel@gmail.com](mailto:jim.frenkel@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

not sure

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

not sure

Is there a demand for specialised services? Which services should be allowed this special treatment?

not sure

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I'd like to know as much detail as possible about speed, quality, and the management of traffic.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
James Frenkel

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Johann-Nikolaus Andrae

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I did not know any. All examples i heard i can not follow.

The Internet capacity is always limited. Specialized services did not fix it. A innovative idea has to deal with the limitation. Specialized services restrict the bandwidth to the money.

No. This is limited to a small set of services. You could not easy change the provider and still use the same (zero-rated) streaming service. I can not use my own streaming from home.

No! Way do they do this? This is my privacy. They can can count the traffic for the billing. All data are to handle equal and need no additional monitoring.

Way should not interfere in my Internet connection. I pay for a fix bandwidth to the internet. I expect the DSL part is the limitation of the speed. The traffic has to be manage by my home router not by my ISP. If my ISP do his work there is no need to throttle some services.

All information influencing my internet connection. Especially all information they have about way i did not reach the maximum speed in general and for special service.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Benjamin Weinheimer  
Email: [Benny-weinni@Web.de](mailto:Benny-weinni@Web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Zero-rating zwingt mich unbewusst dazu nur die Dienste zu nutzen, die mein Datenvolumen nicht belastet. Alle anderen Dienste muss ich dann ja faktisch bezahlen durch mein gekauftes Datenvolumen, dass ist kein neutrales Netz meiner Meinung nach.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Wenn Spezialdienste erlaubt sind, gibt es keine Innovation mehr. Ein Startup kann sich nur selten das Geld leisten den Status Spezialdienste bei allen nötigen Providern zu kaufen. Auch prozentuale Beteiligungen sind schwer möglich. Wenn 10 Provider nur jeweils 5% Beteiligungen möchten ist schon die Hälfte des Gewinns weg. Das hoch gerechnet auf alle relevanten Provider zeigt den Unsinn. Nur mit einem freien Netz ist Innovation möglich.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Keine

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Live streams von spielen oder Videos und ähnliches sollen schneller übertragen werden als z.b. E-Mails. Aber grundsätzlich sollte alles gleich behandelt werden.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Übertragungsrate im Schnitt, maximal und minimal auf einer Zeitskala.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das

Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Benjamin Weinheimer

Name: Timothy Biel  
Email: [timothybiel@gmail.com](mailto:timothybiel@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all. This will change the nature of access to information and further enhance the false reality that the internet is already in danger of creating.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Timothy Biel

Name: Julio Rodriguez  
Email: [wakeboarder@live.com](mailto:wakeboarder@live.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't think there is a demand for "zero-rating".

This will lead to limit my rights as an end-user as I should get my internet free of throttling and at a competitive cost and not too expensive like it is right now.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There are no positive impacts on this but an example of a negative impact is low budget users like my self and a lot of other people around the world will be limited to provide a great service they could provide if these restrictions are placed. Services like in example, hosting services, live services, webinars etc.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't think there is a demand for "specialised services". No services at all should be allowed better than others. All should be treated equally.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None. Zero. Shouldn't be allowed at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I use speedtest a lot when my internet is slow to make sure my ISP connection is not the problem. Knowing your speed is a vital when it comes to internet.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Julio Rodriguez

Name: Andy Whittaker  
Email: [whityxp@hotmail.co.uk](mailto:whityxp@hotmail.co.uk)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO THEY SHOULD NOT! Would the CEO's let us go through all there usage? I say they wouldn't so why should they have the power over us and get us to pay for it!

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Andy Whittaker

Name: Hajo Heyen  
Email: [hheyen@yahoo.com](mailto:hheyen@yahoo.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

Das Internet gehört der gesamten Menschheit. Niemand hat das Recht, Den Datenverkehr zu zensurieren, zu beschränken oder gar zu verändern.

Kommerzielle Dienste sind geduldete Nutznießer im Internet. Das sollte man diesen Herrschaften deutlich machen.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Eine Regulierungsbehörde impliziert, dass die Beschränkung bereits stattfindet.

Dies darf nicht sein, da wie gesagt das Internet ein Geschenk an die gesamte(!) Menschheit ist.

Eine Regulierung ist nämlich immer auch eine Zensur.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Mit Ausnahme des Katastrophenschutzes sehe ich absolut keinen Grund für eine Bevorzugung von bestimmten Diensten.

Alle Probleme ließen sich vermeiden, wenn der Provider jedem Kunden genügend Bandbreite zur Verfügung stellt.

Dazu sind Shared Media (wie LTE) nur bedingt geeignet.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Zugangsdaten, Geschwindigkeit, meine Verbindungsdaten jederzeit, info ob und wie lange diese gespeichert werden.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein! Auf gar keinen Fall.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht. Der Provider soll Daten Transportieren. Mehr steht ihm nicht zu.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es

ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Hajo Heyen

Name: Sallie Park

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Not sure

Is there a demand for specialised services? Which services should be allowed this special treatment?

Don't know

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It shouldn't

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I just want it to work at a reasonable speed

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Sallie Park

Name: Thomas Lynn  
Email: [tomwklynn@f2s.com](mailto:tomwklynn@f2s.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Absolutely not from an end users point of view.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No there is no end user demand and it absolutely limits your rights.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No traffic shaping or throttling or port blocking should be aloud for a free open Internet!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

A fully transparent breakdown.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No as DPI is a breach of privacy full stop!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Thomas Lynn

Name: Paula Cronin

Email: [mpcronin9@gmail.com](mailto:mpcronin9@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Paula Cronin

Name: James O'Keefe, Chair Massachusetts Pirate Party

Email: [jokeefe@jamesokeefe.org](mailto:jokeefe@jamesokeefe.org)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Monitoring beyond aggregated statistics on general network usage is an invasion of privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,

James O'Keefe, Chair Massachusetts Pirate Party

Name: Matthew Weller  
Email: [matgweller@gmail.com](mailto:matgweller@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Netflix is an example of a service that could potentially never flourish if restrictions on the open internet are pushed through. New companies bringing fresh concepts to the market will be stifled by the fact they can never compete with a larger corporation who can run their content through a "fast lane"

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I disagree.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Matthew Weller

Name: John Maskell

Email: [4maskell@gmail.com](mailto:4maskell@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

An open internet brings access to more people and innovators. A closed, corporate internet stifles innovation and limits the ability of disadvantaged communities to access the internet forever.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Not sure!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! ISPs should not be able to monitor the content of a person's traffic. The right to be forgotten.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not have the right to throttle a persons traffic such as video and P2P etc

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Consistent and dependable speed

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
John Maskell

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Marco Bratz

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: AFL-CIO  
Email: [bdirnbac@gmail.com](mailto:bdirnbac@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None, all ISP users deserve equal treatment.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Startup services would suffer.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Speed, quality of connection and info on competitive connections around me and around the world.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely no!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
AFL-CIO

Name: David Beadle  
Email: [db-mail@blueyonder.co.uk](mailto:db-mail@blueyonder.co.uk)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It shouldn't

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
speed, quality of service, how traffic is managed

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
David Beadle

Name: Alexander Uhlir  
Email: [alex.uhlir@hotmail.com](mailto:alex.uhlir@hotmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, it shouldn't.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Alexander Uhlir

Sehr geehrte Damen und Herren!

Bitte setzen Sie sich bei der BEREC für die Durchsetzung der Netzneutralität ein.

Mit freundlichen Grüßen,  
Andreas Demmelbauer

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Andreas Demmelbauer

Name: Lorenz Haberzettl  
Email: [haberzettl-lorenz@t-online.de](mailto:haberzettl-lorenz@t-online.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial practices - such as zero-rating - by the ISPs should be prohibited by law!  
These practices would strongly affect the users choice of offers made online.

To illustrate an example I'll try to transfer commercial practices to the car market.

E.g. governments can choose to subsidize certain things like electronic cars to stimulate the market. But if they do so, they can't just do this for only one company like Tesla. Because then they would discriminate other car-manufacturers which also sell electronic cars. More people would buy a car from Tesla instead of considering others, just because that's more profitable for them.

Another example would be special driving lanes. Imagine car-manufacturers like BMW could buy licenses for special treatment of their customers on the road. Then only people driving a BMW could use these "fast privileged" lines. Others driving a Fiat would have to wait as twice as long on traffic lights, because their manufacturer could not afford these "special services". This would result in more people buying a BMW instead of a Fiat, just because BMW bought a "special treatment" by governments.

The consumers' behavior would be strongly affected by this! Other companies which can not afford these "special treatment" would be intentionally handicapped.

With commercial practices on the Internet that's exactly the same. Big companies like Facebook and Google would be able to buy these services and therefore the ISPs would give them a privileged stand. No one would use a competitive search engine like Ixquick or Bing, because this would - in terms of zero-rating - cost them traffic capacity, which they only have 200MBs of. But Google searches or Facebook videos would not affect this capacity of theirs. (to be exact Google etc. aren't search engines: <https://edri.org/eu-decides-that-google-is-not-a-search-engine/> because they don't list all crawled sites)

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Many ISPs like the German Telekom are also providers of content like video-streaming and news. If ISPs are allowed to give their own services more quality than services provided by others, they would be able to push other content providers aside. ISPs could make services by other suppliers - e.g. video-streaming - on purpose unusable. This way they will build a monopoly-like business model.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
The ISPs should NEVER be allowed to "specially treat" ANY service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

My ISP could be allowed to count my traffic in general, but he should NOT be allowed to count the traffic individually for every source of my traffic.

There should never be any other exception than managing my overall pensum.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It should be strictly forbidden - especially for ISPs - to interfere with anyones Internet connection!

There should NEVER be any prioritised traffic. Prioritization harms the competition of providers with different approaches of services like videochatting via P2P instead of using a Client-Server model.

New uprising technologies, where the Internet plays a key position in transporting information, could never replace the old ones. E.g. the future of internet services is heavily beased on P2P applications and technology. So if we allow ISPs to neglect certain types of online traffic, this would be a strong distortion for the online market.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I'd like to know the maximum and the minimum speed of my internet connection in an user-friendly way. Now my ISP only tells me my connection has a maximum speed (downstream) of 16.000kbit/s, but I never got over 14.500kbit/s.

Also this kbit/s allegation is not clear for the average internet user. Please show this in a more user friendly way like 1,5MB/s. That is more understandable for the average user.

Also my ISP should be forced by law to inform me of any traffic management - like deep-package inspection or zero rating. They should be forces to display this publicly on their website so every internet user can compare ISPs and how they limit the users traffic online.

The big problem today is that most internet users don't know about what their ISPs are really doing. Even if it's mentioned in their contract the user can't really see how strong their intervention with the traffic really is.

It should be easier to compare ISPs in terms of net-neutrality. This way the end user is able to choose the ISP, which is acting – in terms of net-neutrality - like she/he wants.

(If consumers only see the maximum speed-limits and the price, but not the minimum speed-limit or how heavily the ISP is fiddling with net-neutrality, they can't choose in their best interest; no average consumer wants/can to read thru 100 pages of contracts by 5 different ISPs; also if they got the time the contracts are mostly opaque and ambiguous)

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Lorenz Haberzettl

Name: Hannah Blakeman  
Email: [hhblakeman@yahoo.com](mailto:hhblakeman@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Hannah Blakeman

Name: Kevin R Coleman Individual response  
Email: [ancienttreehugger@btinternet.com](mailto:ancienttreehugger@btinternet.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I have always believed that when ISPs and other commercial enterprises who have software installed on my computer to enable their services to work then the downloading of this software and all subsequent updates should not become a burden on the user. After all the ISP or other commercial entity is already making a profit from the services they provide so any additional charges should be met by the provider and not the customer. Why you might ask? It is because to use certain commercial entities services requires software and the users would in effect become captive (and dependent) customers who would have no say in the issues of cost and charging ie zero-rating or not. They would be effectively being blackmailed. ISPs and others already make a massive fortune out of the internet. The additional demands ISPs are making are simply plain greedy. Economic growth policies are the root cause of this drive to make more profits and it is economic growth policies that are trashing the planet in numerous corrupt ways.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The only positive is if zero rating of some services such as software upgrades applied across the board to all software upgrades (see previous answer). There are no negatives to net neutrality other than stopping the ISPs from making an obscene profit (which would be a negative if you were an obscenely greedy ISP).

Is there a demand for specialised services? Which services should be allowed this special treatment? See previous answer/point made.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISPs should not under any circumstances be allowed to 'Snoop' on my (or anyone else's) personal traffic for what they laughingly call 'traffic management'. It is just another way of prioritising and targeting advertising to increase their profits whilst slowing down what I am trying to do online. By targeting advertising and installing other deviations from my chosen search requests the ISPs are manipulating my use of the internet to suit their corporate agendas and this totally flies in the face of net neutrality.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Net neutrality is net neutrality. No ISP should be allowed to influence or interfere with my connection or with anyone else's connection to the internet, especially when that interference diverts the user away from their original purpose for the sole profit of the ISP.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

In my area of the UK I am 3 miles from an exchange yet my internet speed is less than 2 Mbps. This is still incurring a monthly charge the same as the people living near the exchange who have an internet speed close to 10 Mbps. The disparity is hidden within corrupt marketing and slack legislation which allows ISPs to sell a service based on the slowest speed and but priced at the highest regardless of whether or not the user can obtain the highest quality service. Again the ISPs are making a killing based on this disparity and nothing is being done to level the playing field. This must be a part of net neutrality. Level plying field for all with no special pricing for any services. One cost and one quality of service. If its 10Mbps for the best then it should be 10Mbps for everyone.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Kevin R Coleman Individual response

Name: Mick McMahon  
Email: [mickmcmahon0@hotmail.com](mailto:mickmcmahon0@hotmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No !!

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Mick McMahon

Name: Psychologist Paul McGaffey

Email: [pdmcgaffey@gmail.com](mailto:pdmcgaffey@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No - the Net should be established in legislation as a public utility which protects individual citizens' privacy, and does NOT allow corporations unique access or powers or privileges.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Regulations which would allow a discriminatory "fast lane" for services that could be provided on the open Internet must be avoided - this protects freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? This is unlikely, and opens the door to subverting the internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! The Net is a public Utility - It has to be protected ESSENTIALLY in such a way to protect personal privacy - now and in the future.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None - the Net needs to be enshrined as a Public Utility utilizing private distributors.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Full transparency AND access to timely service to correct quality of service.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Psychologist Paul McGaffey

Name: Amos Blanton  
Email: [amos.blanton@gmail.com](mailto:amos.blanton@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I do not see a value to zero rating to the consumer. It seems designed to add complexity where none is needed. This is usually the tactic used by corporations who are attempting to maximize profitability in the medium to long term. When they add more choices, they put the responsibility for making the wisest, cheapest choice on the consumer, and profit when they don't.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

By creating complexity where none is actually needed, through specialized services that have no real value, ISPs create an opportunity to exploit consumers. But these specialized services don't add value, or solve real problems for the consumer.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISPs do not need to monitor traffic to do their job.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs do not have a need to prioritize traffic. The purchaser has the right to the bandwidth they have agreed upon with the ISP. How they divide it should be up to purchaser, and controlled by their own router / access point software.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Med venlig hilsen,  
Amos Blanton

Name: Gary Dailey  
Email: [thedaileys@alaska.net](mailto:thedaileys@alaska.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
will kill innovation

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Gary Dailey

Name: JUAN PABLO

Email: [jp.santos.rodriquez@gmail.com](mailto:jp.santos.rodriquez@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

¿Existe una demanda de "prácticas comerciales", tales como el Zero rating? ¿Limitarían éstas tus derechos como usuario final? Por favor, proporciona ejemplos si es posible.

No a lo primero, sí a lo segundo

¿Cuáles pueden ser los impactos positivos y negativos de los servicios específicos en el futuro de la innovación y la apertura de Internet?

positivos: libertad de comunicación, la competencia y la innovación

negativos: ninguno

¿Existe una demanda de servicios especializados? ¿A qué servicios se les debería permitir este tratamiento especial?

No, a ninguno

¿Debe permitirse a los proveedores de acceso a internet monitorizar tu tráfico, incluyendo su contenido (por ejemplo, mediante la inspección profunda de paquetes) para llevar a cabo la gestión del tráfico?

NO, NI EN SUEÑOS

¿Cuánto debería ser capaz tu proveedor de Internet de interferir en tu conexión a Internet - por ejemplo, para ralentizar o priorizar determinados tipos de tráfico online (vídeo, P2P, etc.)?

NADA

¿Qué información te gustaría recibir respecto a tu conexión a Internet, por ejemplo sobre la velocidad, calidad de servicio o cómo se gestiona el tráfico?

explicaciones transparentes; velocidad media disponible de tu conexión, especificando también la velocidad máxima y mínima, de manera comprensible, por ejemplo a través de un diagrama o imagen. También, información sobre posibles problemas que surgen al utilizar las aplicaciones de VoIP, tales como retrasos en los vídeos o los efectos de sonido.

Básicamente, debo poder tener toda la información necesaria para poder hacer suposiciones razonables sobre la calidad del servicio de que dispondrás para tus prioridades particulares (juegos, vídeo, etc.).

La transparencia no puede, según lo propuesto por la Comisión en su proyecto inicial del Reglamento y posteriormente rechazado, ser considerada un antídoto para los comportamientos anti-competitivos por sí sola. La transparencia tiene un alcance limitado en la solución de problemas, sobre todo en este contexto.

La diversidad y la capacidad innovadora del ecosistema de Internet se basan en su bajo coste para la innovación y bajas barreras de entrada al mercado. Estos principios aseguran desde el primer día que toda empresa, start-up o servicio no comercial - sin importar su humilde tamaño o financiación - tenga el potencial de alcanzar una audiencia global de igual manera que sus competidores. Esta

fuerza impulsora para la prosperidad y la diversidad de la economía online sólo puede asegurarse con un Internet abierto, neutral y no discriminatorio. Si se permite que los proveedores de Internet puedan interferir en las decisiones de sus clientes, mediante la discriminación económica o técnica, se pierde esta libertad esencial. De acuerdo con la consideración (1) del Reglamento sobre la neutralidad de la red, la legislación ha de ser interpretada a la luz de estos objetivos.

El Reglamento permite la existencia de servicios especializados únicamente bajo estrictas condiciones y garantías. El artículo 3(5) y la consideración 16 requieren que la optimización de los servicios especializados sea objetivamente necesaria para la funcionalidad de características clave de servicio. Este no puede ser el caso de servicios capaces también de funcionar en el Internet abierto, de entrega al mejor esfuerzo (best effort). Por otra parte, la consideración 16 impide que los servicios especializados sean utilizados como elusión de las normas sobre neutralidad de la red para la gestión del tráfico. Cualquier desviación de estas garantías de seguridad para ampliar la aplicabilidad del concepto de servicios especializados causaría inevitablemente un aumento de las barreras de entrada al mercado y por lo tanto debilitaría el potencial innovador de Internet en su conjunto.

La discriminación económica (Zero rating) interfiere en mi derecho, en virtud del artículo 3(1), de acceder y en particular de distribuir información libremente. Si un proveedor de Internet discrimina entre proveedores de contenidos, aplicaciones y servicios haciéndolos desigualmente accesibles a través de su servicio de acceso a Internet está constituyendo una injerencia arbitraria en la esencia de mis derechos. Por otra parte, esta práctica restringe mis derechos en virtud de la Carta de los Derechos Fundamentales (artículos 11, 15(2), y 16). Por lo tanto, la discriminación económica no debe permitirse bajo las directrices del BEREC.

Si se autoriza a los proveedores de acceso a Internet a cobrar por el tratamiento preferencial, tienen un incentivo para dejar de invertir en la capacidad de red para el Internet "normal" y reducir sus límites de datos para empujar a sus clientes a utilizar cada vez más los servicios especializados. Este efecto sería perjudicial para las minorías, las personas desfavorecidas y las nuevas empresas que no pueden permitirse pagar por un acceso especial a todas las redes que les permita llegar a sus clientes, así como el desarrollo del ecosistema libre, abierto e innovador de Internet.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

Kind regards,  
JUAN PABLO

Name: James Barron  
Email: [jbwillynillys@gmail.com](mailto:jbwillynillys@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
James Barron

Name: Wolfgang Krumm  
Email: [wulf99@gmx.de](mailto:wulf99@gmx.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Wolfgang Krumm

Name: Stella Karaca

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not be able to interfere at all. I'm already paying for their (sometimes downright deplorable) services and I still occasionally have connectivity problems. If they start interfering with it on purpose I might as well not use them at all.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

People with good ideas could be ignored, because they can't pay enough. Democratic and social justice organisations, as well as non-profits will be at a disadvantage. Also, a lot of people will be criminalised for finding ways around all the ISP's. If we're limiting the internet by law, people will ignore that law, because it is unjust, you do not need a law degree to know that.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It depends on the individual. It should not be mandatory (by making it the only service to choose), is all I'm saying.

Is there a demand for specialised services? Which services should be allowed this special treatment? Only emergency services at time of need/imminent danger. It should not be a regular thing for them either.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. I may, if I'm in a generous mood, accept my ISP to know the data volume I use, but they should not be allowed to know the content.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Stella Karaca

Name: Oliver M.  
Email: [brutkruemel@web.de](mailto:brutkruemel@web.de)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There should be no such thing as zero-rating!

This leads to a wrong and biased market. If e.g. there is a competitor to 'spotify, netflix, maxdome, etc' and the traffic of the competitor does count towards my traffic, and spotify's etc does not, then spotify etc is the more attractive option for the consumer.

But the thing is, e.g. ISPs have their own services like that, and of course they then don't count towards my traffic. Then this is not a fair market where the consumer can really decide, because the ISPs service has an advantage right from the start.

And a competitor is at a disadvantage which most of the time cannot be overcome, because the big companies are at a really big advantage.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is the big negative, that everything new cannot even start. When the specialised service is right out of the gate at a advantage over every alternative.

I cannot think of a positive impact, for the consumer or the market. The only positive thing is when you are an ISP you get to keep your power and kill every alternative right at their starting point.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I cannot think of a service that should be specialised.

There is always the example of hospital and car services. But this is a false example.

These services don't use the internet as we are speaking about it.

And even if, which they are not, the delay here is milliseconds.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

ISPs are private companies, can could misuse the data gained from this, in the simplest way just for their own benefit and profit maximisation. Which all this is actually about.

If we compare the internet to the street, and i e.g. drive to a concert should i be treated differently than when i'm driving to the mall?

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Just in one way.

If i pay for a connection with the speed of 30Mbit then everything sent should be treated equal, with that speed. If i pay for 100Mbit, then everything, and i mean everything is treated at that speed.

There should be no checking of what i send or receive! And no throttling of certain traffic. If i pay for XY-Mbit then i get XY-Mbit for everything i do.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Apart from the obvious of price and speed, what they are doing with the packets. Such if they are inspecting them. Or if they are throttling it.

Which should not be done.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

Oliver M.

Name: Sherry Vatter  
Email: [sgv@chem.ucla.edu](mailto:sgv@chem.ucla.edu)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The negative: favoring larger corporations would discourage awareness of new ideas produced by individuals and small start ups, simultaneously retarding innovation and user choice.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
not sure

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, ISPs should not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

would like to know how traffic is managed. Also comparative quality of service

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Sherry Vatter

Name: Nathan Little  
Email: [littleroman04@gmail.com](mailto:littleroman04@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, ISPs should be providers only. They should not be gatekeepers or monitors.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not be allowed to interfere with their customers' internet connection in any capacity.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Nathan Little

Name: Jordan Hooley  
Email: [jordanb.hooley@gmail.com](mailto:jordanb.hooley@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial practices is an undefined term created to designate so called inferior information into worthless transfers. As a limited private end user I cannot afford the punitive pricing structure of prioritized information lanes.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Throttling information transfer is throttling human creation. By exchanging information we collaborate and create.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jordan Hooley

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Guillaume SIMON

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

For privacy concerns, DPI is unacceptable.

Furthermore, allowing it would encourage crypto-anarchy

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It shouldn't for three reasons.

- There is no objective criteria allowing us to advantage or disadvantage some kind of traffic for the common good.
- If one wants, for privacy concern, encrypt her traffic (SSH-tunneling, VPN), its nature would by nature be impossible to identify and it would be systematically low-prioritized.
- If one want to open her own service with uncategorized traffic, it would be low-prioritized, preventing it to compete fairly with similar well categorized services.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Carl Richard Theodor Schneider

Email: [carl.schneider+sti@rub.de](mailto:carl.schneider+sti@rub.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich sehe eine recht große Gefahr bei solchen kommerziellen Praktiken. Zum Einen wird eine Konkurrenzfähigkeit für neue Unternehmen gänzlich unterbunden, wenn beispielsweise ein Streamingdienst "Sonderrechte" bei den größten Providern hat. Zum Anderen wäre der nächste Schritt, dass diese Dienstleister vom Provider fordern, dass andere Dienstleister eingeschränkt werden.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, denn ein Provider hat nur die Aufgabe, eine Internetanbindung mit vertraglich geregelter Leistung bereitzustellen. Fängt dieser nun an, den Inhalt zu überwachen und die bereitgestellte Anbindung zu verlangsamen, weil er bestimmte Daten ungern in seinem Netzwerk sieht, ergibt sich schnell die Möglichkeit, dass auch ungern gesehene Meinungen weniger schnell verbreitet werden. Gerade Text ist leicht zu analysieren, sodass dies schnell ein Problem werden kann.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Mein Internet-Provider soll meinen Anschluss nicht beeinflussen dürfen, da hierdurch mein Nutzen der Anbindung eingeschränkt wird, denn als Informatiker experimentiere ich oft mit nicht alltäglichen Anwendungen, welche dann leicht einer Drosselung unterliegen können.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best

Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Carl Richard Theodor Schneider

Name: Thomas F. Luce  
Email: [tomfluce@gmail.com](mailto:tomfluce@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes these limit my rights.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of specialised services which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open internet must be avoided. Freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Do not know.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Information I need to make reasonable assumptions about the quality of service.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Thomas F. Luce

Name: Ann Khambholja  
Email: [candyannkhams@yahoo.com](mailto:candyannkhams@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ann Khambholja

Name: ATVIRTUAL.NET KG

Email: [martin.fischer@atvirtual.net](mailto:martin.fischer@atvirtual.net)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there is not.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
ATVIRTUAL.NET KG

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:  
Nina Röcklein

I feel surveilled when cooperations are allowed to look at the contents of my internet packers. My communications are no ones business. I am not able to express my opinions freely on the web when I feel monitored from all sides. Surveillance always leads to self censorship and is deeply undemocratic in every way.

ISPs should not decide which traffic is "good" and which is bad. Technologies like torrents are frequently discriminated against by ISPs because "There're only the evil pirates using torrents" but I have many legitimate and completely legal uses for torrents. Therefore I do not like to see this kind of discrimination against very efficient and decentralized technologies.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Bastian Seehaus

Email: [seehaus+savetheinternet16@mailbox.org](mailto:seehaus+savetheinternet16@mailbox.org)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein, kein Bedarf. Es wird immer lokal optimiert um das bessere Geschäftsergebnis zu erhalten und nicht um der Gesellschaft die bessere Entwicklung zu ermöglichen.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Spezialdienste, welche die Kapazität der Netze aufzeigen, sollten als Anlass genommen werden, die Netze auszubauen, statt zu reglementieren.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, QoS sollte auf Anschlussebene durchgesetzt werden.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Nur nach selbst bestimmten und bewusst eingeschaltetem QoS.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Zeiten, in denen das Netz meine maximale Anschlusskapazität nicht auslasten könnte.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Bastian Seehaus

Name: Clara Thomas  
Email: [malkavcandy@hotmail.com](mailto:malkavcandy@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It should not be able to interfere at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Clara Thomas

Name: Michael Leicht  
Email: [mleicht83@gmail.com](mailto:mleicht83@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't think Zero Rating is a Tool to accomplish more and better Internet for all People.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I bigger Companies are able to use Money to gain an advantage it is bad for everyone.

Is there a demand for specialised services? Which services should be allowed this special treatment? There might be a Demand for specialised services for Medical Applications, I can't think of something else.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I want my ISP to leave my Traffic alone.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP's shouldn't use Deep Packet Inspection at all. My Traffic is none of their Business.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Leicht

Name: Tobias Boyd  
Email: [tobias.boyd@gmail.com](mailto:tobias.boyd@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There are clear conflicts of interest when an ISP offers television or VOIP services, but tampers with customers wanting to use competing services from other vendors.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Free access to The Internet is of primary importance, any other services providers want to offer should be secondary at best.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't personally see any, I can allow that some are possible, for example home medical equipment that needs 100% availability.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Only the bare minimum necessary to guarantee quality of service - clearly not to profile my behavior, or punish competing services.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Presumption of innocence should extend to use of the connection, no interference should be allowed unless it's to prevent unambiguously illegal activities.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I'd like to see hourly graphs of up- and downstream bandwidth, ping times, and information about DNS tampering.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Tobias Boyd

Name: Stephen Brace  
Email: [vyse343@yahoo.com](mailto:vyse343@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The concept of "zero-rating" is inherently biased as it is not determined by the customer paying for the service. If the consumer has paid for Internet services they should receive full access and be able to choose what websites they wish to browse on their own.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Allowing specialized services means that only those with the most money will be allowed to have their content shown. This undermines the very concept of free and open exchange of ideas.

Is there a demand for specialised services? Which services should be allowed this special treatment? The only demand for "specialized services" are from people and corporations who already have money and wish to eliminate any possible competition by denying them the ability to market their products.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISPs should not be allowed to monitor the content of their consumers' traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not be allowed to make any interference with their consumers' Internet connection. If the bills are paid on time then they have no right nor business to meddle with the use of their clients' connections.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should clearly provide to their clients the speed of the bandwidth available, any changes in the services that have been made, and any updates to the infrastructure that may cause interruptions in service.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Stephen Brace

Name: cristian savici  
Email: [savici@gmail.com](mailto:savici@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

commercial practices could prevent smaller service providers from reaching their entire audience and thus preventing online business growth. not one single person, entity or group should have the power to determine what services are better.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

it all leads to the same conclusion. when ISP and Telcom companies can determine what web services get prioritized, you're taking away any chance a startup might have to grow.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all of the above

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none!!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISPs should not be allowed to monitor traffic for any reason, just the same as phone companies are /theoretically/ not allowed to listen in on phone calls.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
cristian savici

Name: Stephen Kent  
Email: [steviekent@btinternet.com](mailto:steviekent@btinternet.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

A two tier Internet will evolve. The Internet is the one place where equality has been achieved so let's keep it that way.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Everything possible.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Just treat all packets the same.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. If there isn't enough capacity then more needs to be built.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Stephen Kent

Name: Jer Flores  
Email: [OmniJerBear@gmail.com](mailto:OmniJerBear@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jer Flores

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Christian Will / reformX

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Social Services

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

A concerned citizen

Name: Joris van Huet  
Email: [jorisjvh@hotmail.com](mailto:jorisjvh@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive: more agility for the end users.

Negative: more expenses.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there isn't. It's simple a commercial trend. If we look at it hard enough, we can already guess what the next trend will be.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all, what so ever

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Yes

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

None, I don't care how it's categorized. What's important is the instant pleasure I experience.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Joris van Huet

Name: Michelle Langenberg  
Email: [chelleashes@gmail.com](mailto:chelleashes@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Michelle Langenberg

Name: Ulrich Beltrup  
Email: [Ulrich.Beltrup@web.de](mailto:Ulrich.Beltrup@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
keine

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
keine

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, das geht überhaupt nicht.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
garnicht

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Ulrich Beltrup

Name: Sophie Galleymore Bird

Email: [oysoph@yahoo.co.uk](mailto:oysoph@yahoo.co.uk)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Sophie Galleymore Bird

Name: Mikael Learmonth  
Email: [mikael.learmonth@skynet.be](mailto:mikael.learmonth@skynet.be)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Probably from MI5 MI6 and the CIA and the NS!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO unless a State emergency or threat exists or a human being's life is in danger.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Perhaps with video and that kind of online traffic.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell users the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that our Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

They should provide information on quality of services parameters in very clear language in ALL contracts. Concrete examples should be provided to help us users to understand the practical impact on our internet access service. We should have the information necessary in order to make reasonable assumptions about the quality of the service available for our particular priority of use e.g. video, gaming etc.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Mikael Learmonth

Name: Jared Guess  
Email: [jaredguess@gmail.com](mailto:jaredguess@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? By end users? NO. No specialized services should be allowed period. Everything from the guy who has just created a website by himself to a multi billion dollar corporation should have equal speed/bandwidth/opportunity. The internet is not a place for restrictions on speed, or otherwise.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive none, it will even hurt companies who think they will profit from this in the long run as it will ruin the users of the internet -- the internet will become a desolate and less "lively" and active place. Companies are making plenty of money as things are,.. this is nothing but greed and power - which lead to corruption. The internet is by the people, for the people.. it was and is created by the end user,.. If you bite the hand that literally feeds you, well..

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes there is a demand for companies to have priority speed for \$\$ -- The end user, suffers as a result -- This is literally give an inch they will take a million miles and destroy the internet. You can't let this door open.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Absolutely none/zero.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. The internet thrives on being equal, and not watched by big brother. America cried out for it's neutrality,.. and won -- I am an American aiding in the same effort for my friends in the EU!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Transparency -- insurance nothing is being logged/tracked beyond obvious cookies, etc -- That all connections are equal, including mine.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Jared Guess

Name: Barry LeBeau  
Email: [blebeau123@yahoo.com](mailto:blebeau123@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes, ISP's may preferentially steer me to Websites by Pre-selecting what's available. This excludes a majority of economically disadvantaged websites.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized Services can be discriminatory by allowing a fast-lane violating principles of net neutrality. However if Citizen input to their ISP's had "equal-lanes" to be inclusive of economically disadvantaged websites giving them the same opportunities as a much bigger financial firm.

Is there a demand for specialised services? Which services should be allowed this special treatment? I'm not sure if there's a demand for specialized services so I don't know what services would be considered.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

DPI can be used judiciously without non-network neutral bandwidth shaping decisions, "phorm-like" marketing intelligence gathering unless by legal means and other spying techniques.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero (0%) Throttling No Prioritised Online traffic

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I have an app to test my speed but I'm always interested in improving quality of the Internet connection I have especially high traffic hours on the Internet.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Barry LeBeau

Name: Edwin Homeier  
Email: [ehomeier@gmail.com](mailto:ehomeier@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

none

Is there a demand for specialised services? Which services should be allowed this special treatment?

all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Edwin Homeier

Name: Annette Safer  
Email: [saferannette@web.de](mailto:saferannette@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein, es gibt keinen Bedarf für kommerzielle Praktiken. Diese Praktiken schränken meine Rechte als Endverbraucher ein, da sie nur eigenen kommerziellen Interessen folgen.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Sie können die Vielfalt und allenZugänglichkeit der Inhalte beeinflusse..

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein! Das wäre so,wie wenn die Post meine Briefe und Pakete lesen und durchsuchen würde..

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Garnicht!

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen

wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Annette Safer

Name: Nicolas

Email: [nico.lassheur@gmail.com](mailto:nico.lassheur@gmail.com)

Confidential: No

-----  
Madame, Monsieur,

Veillez prendre en consideration cette réponse des parties prenantes en regardant les lignes directrices de la neutralité du Net BEREC.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Those kind of "commercial practices" could limit rights of any company / start-up. It limit development, innovation, and at the end free competition.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, not for the purpose of traffic management.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only for technical purposes.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Salutations,  
Nicolas

Name: Tiago Santos  
Email: [dissid3nt.mail@gmail.com](mailto:dissid3nt.mail@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tiago Santos

Name: Eva-Genevieve Scarborough

Email: [evagenevieve@yahoo.com](mailto:evagenevieve@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration. I am not a citizen of any European nation, but I believe what happens in Europe affects Internet users around the Globe.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no deep packet inspection - keep access wide open

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No throttling, no prioritising of traffic, with penalties for abuses. Exceptions perhaps during peak traffic times where overloads are likely to occur. Priority should be given to more basic traffic in order to keep traffic moving freely. Any throttling or prioritising necessary should be justified to oversight agencies.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of the above.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Eva-Genevieve Scarborough

Name: Michael Klipper  
Email: [mklip2001@yahoo.fr](mailto:mklip2001@yahoo.fr)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Not sure

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Not sure

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
I don't really know.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
I don't really know, but interference should be kept minimal.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Speed and quality of service would be good information to have. I don't think I need anything else particularly.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Yes, Internet providers may monitor traffic and content, but they should only have very limited ability to act based on the specific content. For instance, law enforcement cannot demand this information from providers without an appropriate warrant, and people should opt-in to any sale of their data to advertisers.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Michael Klipper

Name: Jonas Schönfelder  
Email: [mail@jonas-schoenfelder.de](mailto:mail@jonas-schoenfelder.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? For some use cases like medicine and other critical things a fast and reliable connection is important. For these cases special connection with different cables are the right decision. The normal internet should be free of specialised services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The competition is important for the startup scene, but it should be fair. If big ISPs like Deutsche Telekom, who also offer media content like T-Entertain, would prioritise their own content, they have a better position than small start up companies.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Providers should make good offers for raw internet. Customers would pay more if they need more bandwidth. Throttling certain services is a bad idea because it divides the content creators in categories (eg. a personal produced podcast is not downloaded as fast as Netflix' videos).

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should only be allowed to sell Internet. Special restrictions like VOIP etc. should be prohibited.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, I don't want my traffic to be monitored (DPI) just because some one wants to throttle my connection.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to have a guaranteed connection speed and also the information about the maximum possible speed of my connection.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Jonas Schönfelder

Name: Nicole Gellineau  
Email: [NikkiGelly@gmail.com](mailto:NikkiGelly@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Nicole Gellineau

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Dr. Thorsten Werner

Is there a demand for specialised services? Which services should be allowed this special treatment? There could be a demand for special services, e.g. health services. But these special services must be technically separated from the Internet (may be using same technology like IP) to ensure quality. Within the Internet no specialised services (apart from normal bandwidth management) should be allowed.

Specialised services (within the Internet) would allow global players (like Deutsche Telekom or Google) to pay for their services, whereas smaller companies and startups (or persons) cannot pay for these "specialised services". This would lead to monopole-like structure. In fact this would have a great negative impact on the EU-it-market as neither in the US nor in other countries (e.g. India) such specialised services are allowed by law. Future innovation would take place outside the EU and the Internet in the EU will become a closed place.

There is no real demand for zero-rating at all. It discriminates the end-user in all ways as you do not have a real choice for a specific type of service (you are forced to select the zero-rated one). Currently on the mobile market you can see many of those zero-rated music streaming services e.g. Spotify with T-mobile and Napster with Aldi Talk. If you have such a contract you will hardly choose a music streaming service other than the one provided with zero-rating. But this can be driven further to video-streaming, news etc.

Deep packet inspection (DPI) and similar techniques should not be allowed to manage the internet traffic. In times of highly usage of encrypted connection this is not useful at all and it may discriminate certain types of online traffic (e.g. VoIP or P2P). Traffic management without DPI should be sufficient for any ISP if its infrastructure is up to date.

Normally the ISP should not interfere with my Internet connection at all. In case of temporarily limited bandwidth the ISP should be allowed to prioritise certain types of online traffic (e.g. VoIP) to ensure the functionality of these types. Such intervention should be monitored by legal entities to ensure that these are used only limited and to ensure that the ISP is investing in its infrastructure to overcome such situations.

As speed is the mainly advertised data for internet connections, this would be my main interest. The I want to have information of the speed which is guaranteed for the connection (default speed) and not the speed which is the maximum for the technology (as currently mainly advertised), e.g. Advertisement with up to 16 MBit/s but connection is only at 4 MBit/s. In any case I want all information about traffic management in case certain types of online traffic are throttled or prioritised, this is also valid if certain special services are prioritised.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Pirooz Daneshmandi  
Email: [Pirooz@eircom.net](mailto:Pirooz@eircom.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Pirooz Daneshmandi

Name: Tim Hinkle  
Email: [squirrilie@gmail.com](mailto:squirrilie@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would slow and prohibit innovation as it would reduce incentive to produce new material.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Get ALL the information!

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tim Hinkle

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

P. R. citizen of the world who relies for business and personal issues to have a free open and unconstrained internet

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and

subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Scott Biggs

Email: [scottbiggs60@hotmail.com](mailto:scottbiggs60@hotmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It is not good to restrict the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All information

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Scott Biggs

Name: Sabine Buergermeister  
Email: [s.buergermeister@gmx.de](mailto:s.buergermeister@gmx.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? Specialised service is any service provided over the Internet access connection that is given additional quality by the Internet access company. Under the Regulation, this optimisation must be objectively necessary for the electronic service being accessed and not simply granting priority to the service. The access provider must also ensure that there is enough capacity so that the quality Internet access is not undermined. The necessity should be verified by the national telecommunications regulatory authority.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sabine Buergermeister

Name: Gail Massey  
Email: [msgailmassey@gmail.com](mailto:msgailmassey@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes there's a demand

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Gail Massey

Name: Ronald Miskie  
Email: [themisk13@hotmail.com](mailto:themisk13@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

YES THIS COULD! AND NO WAY SHOULD THIS BE PERMITTED!!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

FUTURE INNOVATION WILL BE STIFFLED! ENOUGH SAID!

Is there a demand for specialised services? Which services should be allowed this special treatment?

NO NO NO NO !

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ABSOLUTELY NOT!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NOT ONE BIT...NADA! NO WAY!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed and quality of service

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Ronald Miskie

Name: David Davidoff  
Email: [davefrda@gmail.com](mailto:davefrda@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
New, small websites, will not have the same opportunity to get to people as easily as big ones with a lot of money to throw at ISP's

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
It would reduce competition.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Average speed, reliability, down time, etc.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
David Davidoff

Name: Kathleen A. Mireault/ RavenStar Arts

Email: [kam8897@comcast.net](mailto:kam8897@comcast.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Nope!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

Kathleen A. Mireault/ RavenStar Arts

Name:

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, auf keinen Fall. Meine Daten gehören nur mir.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht. Gleiches Recht für Alle!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Eva Beadling

Name: Madeline Shaw  
Email: [mshaw13@frontiernet.net](mailto:mshaw13@frontiernet.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
none

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
NONE!!!!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all should be available.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Madeline Shaw

Name: Jon Teunon  
Email: [jonteunon@hotmail.com](mailto:jonteunon@hotmail.com)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No. Yes, because my internet speed would be penalised.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There would be no positive impact. The negative impact would be that the internet would be less equal and would discriminate against those with less income.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should be easy to compare by being transparent and using the same terminology as each other. They should all give the maximum and minimum speed connection in a straightforward way and set out the practical consequences of using VoIP applications to give a clear picture of the quality of service available.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jon Teunon

Name: Sascha Pogacar  
Email: [sascha@pogacar.net](mailto:sascha@pogacar.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP should not be able to do so.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Every information possible

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Sascha Pogacar

Name: brd  
Email: [diorit@gmx.net](mailto:diorit@gmx.net)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

GAR NICHT !!!!!!!!!!!

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
brd

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Peter Goldberger

Is there a demand for specialised services? Which services should be allowed this special treatment? Perhaps there is from those who want to make financial profit (by offering higher speeds and thus more content). Which should be allowed? None, because, to give an example, emergency services should use the phone (which is more immediate and generally provides a safer connection).

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I cannot really tell, but the internet has so far, to the relief of many, been an instrument which guaranteed a certain degree of equality amongst its users.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Is there a demand? There seems to be. But in this world nothing comes gratis. So what little transparency there is left in the net may well be impaired by exploiting the customer through new (but hidden) economic models.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, not really.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Not at all, if possible.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All that information which helps to promote transparency - even to the degree that I might see how secret services and the like interfere with my use of the internet.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Oleh Sydor  
Email: [cloche72527@mypacks.net](mailto:cloche72527@mypacks.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NEVER !

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all - I'm paying for the service; they need to comply at their end.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Oleh Sydor

Name: Maycon de F da Silva  
Email: [phoenixwings78@gmail.com](mailto:phoenixwings78@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Services used in emergencies related to health, disasters and to prevent injuries or deaths.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No. That's a breach, an invasion in my privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
The connection must be free to use when needed and it doesn't matter what's the channel is being used.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
The sentence is true. More is better.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Maycon de F da Silva

Name: Ian T Price  
Email: [ian.T.Price@gmail.com](mailto:ian.T.Price@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Technically there is a case for traffic segregation. This does NOT infer fast & slow lanes.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
The internet will end up in the hands of the corporates; If you're worried about the dark web now just wait until that happens...

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, not with end users

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
0% It shouldn't

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Full information - it's my day job

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. While some ISPs use this to manage the traffic for the end user, most use it to prioritise their own preferred products.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ian T Price

Name: High Flight Arts and Letters

Email: [helloelsie@gmail.com](mailto:helloelsie@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, there is NO demand for "zero rating" except from ISPs in order to suck more money out of a regulated system.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

When the Internet is throttled, innovation stalls.

Is there a demand for specialised services? Which services should be allowed this special treatment?

There is no demand for specialised services except in the eyes of ISPs in order to make people pay more for access.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. They do not need to know what the contents of packets are to manage traffic. Do the police inspect the contents of cars on the road to manage traffic? Of course they don't.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should never be allowed to interfere with an Internet connection. Do I pay more to phone my Granny than to call Microsoft? Of course not.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Everything.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
High Flight Arts and Letters

Name: Dillon Wu  
Email: [ddwu327@gmail.com](mailto:ddwu327@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Never!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
ISP should tell customers how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become less discriminatory simply because the provider is "transparent" about it in the consumer contract. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Dillon Wu

Name: Oliver Martin  
Email: [oliveredwardmartin@gmail.com](mailto:oliveredwardmartin@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Oliver Martin

Name: Tim R Floyd  
Email: [floyd\\_tim@yahoo.com](mailto:floyd_tim@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

no

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

n

Is there a demand for specialised services? Which services should be allowed this special treatment?

n

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all of it

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Tim R Floyd

Name: shaun  
Email: [pnuash8@gmail.com](mailto:pnuash8@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
shaun

Name: Víctor Ubierna de las Heras

Email: [ubi1212@gmail.com](mailto:ubi1212@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
V́ctor Ubierna de las Heras

Name: John MacConnell

Email: [meaningfulmktng@gmail.com](mailto:meaningfulmktng@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't know.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I don't know.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't know.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The ISP should not be allowed to monitor traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I don't know.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
John MacConnell

Name: James Harris  
Email: [theraspberrydome@cox.net](mailto:theraspberrydome@cox.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

ISPs must be treated as 'common carriers,' like bus lines; there must be no restriction on content unless the content can be proven to be malicious and damaging to the internet system -- such as 'worm' viruses or other material designed to reduce the functionality of the system or customers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

This 'new' system, like the previous telephone and telegraph systems, must not be limited by prohibitions on innovation in hardware or software. As long as the innovation cannot be proven to be destructive, it must be allowed. A message that 'locks' a user to a particular service would be considered 'malicious,' in that it limits the customer(s) to a single connection.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, as long as the traffic does not create system blockages. 'Sabotage' (malicious content) is the one excuse allowed to restrict service to an individual account.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The only reason an ISP could use for restricting service to an individual customer is proven malicious behavior by the customer. 'Blanket' restrictions must be prohibited.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Any and all 'restrictions' must be explained in full detail by the implementing agency. As long as the traffic item does not damage the network or cause perceptible harm to the recipient(s), it must be allowed. 'Political damage' is an illegitimate term.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialized services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
James Harris

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Reinhold Mannsberger

Name: David Ullrich  
Email: [david.ullrich@gmx.net](mailto:david.ullrich@gmx.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Of course not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They just shouldn't

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
David Ullrich

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Richard Scherzer

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Dirko-Joachim Gütschow  
Email: [dj.guetschow@t-online.de](mailto:dj.guetschow@t-online.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Eine Überwachung der Inhalte des Datenverkehrs durch den Provider muss verboten sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann

nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Dirko-Joachim Gütschow

Name: Bethany Sutcliffe  
Email: [bethany.sutcliffe00@gmail.com](mailto:bethany.sutcliffe00@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No they should not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISP should not be able to interfere with my connection. They have no place or right to do so and they should not be allowed the right.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Bethany Sutcliffe

Name: Adam Bernström  
Email: [my\\_evil\\_twin47@yahoo.com](mailto:my_evil_twin47@yahoo.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No demand for such services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Adam Bernström

Name: Philippe Charrier  
Email: [p.c.charrier.m@gmail.com](mailto:p.c.charrier.m@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Philippe Charrier

Name: Anton Bacher  
Email: [anton.bacher@hotmail.com](mailto:anton.bacher@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes, I want freedom

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Rich can buy fast lanes and influence the people

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
online allow it for voice over ip

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All the Points mentioned above

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Anton Bacher

Name: Susann Löschenkohl  
Email: [susannloesch@gmail.com](mailto:susannloesch@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,  
Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Susann Löschenkohl

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Dr. Steffen Skatulla

no, none

fast connections only for big companies, slow for individuals, small companies and start ups

no, promotes some big existing services, hinders emerging new services

no, all traffic should be handled equally, the best would be end-to-end encrypted traffic, content is for the eyes of sender and reciever only!!!

instead of prioritising traffic isps should make an effort to build faster connections for every type of traffic

none, i can measure my speed and latency on my owne

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Steffen Skatulla

Name: Lola L. Schiefelbein  
Email: [lls7474@gmail.com](mailto:lls7474@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The sad fact is that anything that creeps towards conglomerate formation and reduces net neutrality is not a great thing...it goes against the spirit of what the net was set up for, in the first place. As long as human lives aren't in danger, zero-rating is one of those very gray areas that's best avoided, if at all possible, to keep everything fair.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I see specialized services as something akin to forming monopolies...if you are talking about specialized services to help sustainable efforts (food, water, medicine, etc.) in developing countries, maybe that's a good thing...if you are talking about a company/conglomerate using specialized services to 'GROW' its consumer base of products, then I am very uneasy with that...again, this could go into many shades of gray...tricky stuff!

Is there a demand for specialised services? Which services should be allowed this special treatment?

I have no idea if there is a demand for specialized services, or not...I use the computer as a tool, soley...not away of life. But, I have a lot of friends and family who are the opposite...if you go by their general reaction, they don't wish for ANYTHING to interfere with net neutrality. If you go by trying to help developing countries with certain specialized services, then--again--that may be positive. On this, I am not the best customer to consult, I admit.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know more about how the traffic area of our Charter internet service is conducted...I'm not just talking about slow-downs, or stalls, due to malware...I'm talking about the service, as a whole, to all consumers...I'd like to see some graphs about the traffic of private citizens--like myself--as compared to companies (small, or large)/conglomerates, etc. Thank you.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I'm still undecided about the topic, but for the most part, private passages should be kept private...just like hardcopy letters, etc. Have a suspect that may have committed murder/assault/terrorism, etc.? Then, get a warrant, just like police would for any other evidence and go to it...it's unfortunate if the individual in question turns out to be innocent, and private facts get aired to the police, that would have otherwise remained private, but until all police become top psychic mediums, you are going to have to give law enforcement more to go on, to solve serious crimes than a few crumbs...

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Now, here, my answer is: none at all; just because I "have" access to the Mars, Inc., candy empire does not give me the right to quash where they send their goods...or at what speed/frequency, etc.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Lola L. Schiefelbein

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Daniel  
Email: [d-desantis79@yahoo.com](mailto:d-desantis79@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Only a court order should warrant that kind of privacy invasion.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None! I pay for my fast internet, so it should always be fast, no matter what my activity is online.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Daniel

Name: Gabriella Garofalo  
Email: [grrz2001@yahoo.it](mailto:grrz2001@yahoo.it)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Gabriella Garofalo

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Marcus Zottl

Is there a demand for specialised services? Which services should be allowed this special treatment? This should only be possible for things like medical services (tele operations) and similarly critical services that serve the general public.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! Just like mail delivery companies (postal service) should not inspect (and read) "classic" mail, ISPs should not monitor and inspect traffic on the internet!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

None at all!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Matthew Neilson  
Email: [neilsomj@gmail.com](mailto:neilsomj@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Matthew Neilson

Name:

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

"Specialised" services help the big players to monopolise the online influence and the online market. Needless to say this is not good for a democratic information system.

Is there a demand for specialised services? Which services should be allowed this special treatment? No "special" service is needed if their purpose is to narrow the information channels of competitors.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Transparent information, easily understandable should be provided by every ISP for their customers. Statements about transmission performance should reflect the average (not the maximum possible) rate. All media (music, video etc.) should be accessible without discriminatory policies.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

undefined

Name: Tim Hart  
Email: [timhart@justice.com](mailto:timhart@justice.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating is a covert means of discriminating between internet traffic and represents censorship by commercial means

Is there a demand for specialised services? Which services should be allowed this special treatment? There may be instances when specialised services are necessary but these should be carefully restricted else to contradict the aim of net neutrality

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services is another means by which to discriminate between and censor internet traffic and is contrary to the principle of net neutrality

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would want all information disclosed in relation to speed and quality and, in relation to traffic management, all relevant information in order for me to ensure that net neutrality was being complied with.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not be able to discriminate internet traffic

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This information is private.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Tim Hart

Name: Kamil Drynda  
Email: [kdogexplodes@gmail.com](mailto:kdogexplodes@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
not strictly

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
minimally, almost not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Kamil Drynda

Name: Karin Piergallini  
Email: [Karin@PinehurstRealty.com](mailto:Karin@PinehurstRealty.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

They should tell me the speed, but they should not let that speed to differ due to what I am doing, or which sites I am accessing.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Karin Piergallini

Name: Margaret Goodman  
Email: [messgwg@gmail.com](mailto:messgwg@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand from users for "commercial practices" such as zero rating. Zero rating encourages users to use the content that does not contribute to their monthly download limits.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. I do not wish to be spied upon.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not be able to interfere with my Internet connection at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Margaret Goodman

Name: Maxx/Luftwaffe  
Email: [maxx.perez13@gmail.com](mailto:maxx.perez13@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They shouldn't

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Maxx/Luftwaffe

Name: Myself  
Email: [J14Lion@Gmail.com](mailto:J14Lion@Gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Myself

Name: Stephen Zettel  
Email: [zettelsm@gmail.com](mailto:zettelsm@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There exists no demand for commercial practices.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No demand for specialized services

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference whatsoever

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All the above

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Stephen Zettel

Name: Michael Scherhauser  
Email: [metalm83@gmx.at](mailto:metalm83@gmx.at)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Scherhauser

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Stefan Kasberger

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Stefan Kasberger

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Kenneth Robertson  
Email: [kcrmusic@kc.rr.com](mailto:kcrmusic@kc.rr.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

This could negatively affect everyone's internet access.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Any and all. Open transparency.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Kenneth Robertson

Name: Walter Levy  
Email: [walterlevy1@gmail.com](mailto:walterlevy1@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It could allow them to slow down services which interfere with their profits

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Walter Levy

Name: Marilyn Pierson  
Email: [mpier36@bellsouth.net](mailto:mpier36@bellsouth.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
NONE. Keep all services at the same level and same treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO, unequivocally NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No interference whatsoever!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Marilyn Pierson

Name: Friedhelm Old  
Email: [fold@bluehash.de](mailto:fold@bluehash.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Bei den sogenannten Spezialdiensten geht es den Providern doch nur darum max. Profit zu erzielen. Natürlich geht das Ganze zu Lasten der "Normalverbraucher".

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Selbstverständlich nicht! Wenn ich einen Brief schreibe, möchte ich ja auch nicht das der Postbote ihn liest!

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Friedhelm Old

Name: John Panko  
Email: [jpanko@msn.com](mailto:jpanko@msn.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Unsure

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Yes

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
John Panko

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Jan Karres, Germany

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Jan Karres

A concerned citizen

Name: Catherine Clark  
Email: [catherine\\_clark@earthlink.net](mailto:catherine_clark@earthlink.net)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Catherine Clark

Name: Kimberly Martin/Emporia State University

Email: [martinkimberly167@gmail.com](mailto:martinkimberly167@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I see no demand for commercial practices as it would discriminate and censor online activity.

Commercial practices would limit my right as an end-user and my freedom to access information. As a graduate student and future librarian commercial practices would limit the intellectual freedom of all end users and would commodify information that belongs in the public domain.

Is there a demand for specialised services? Which services should be allowed this special treatment?

There is no demand for specialized services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I cannot see any positive impacts of specialized services because nothing good can come from charging for the internet. The cost of internet service already prevents millions of people from accessing the internet and has created a digital divide for people of lower socio-economic means. It should be a human right to access knowledge and the internet is the ultimate way to access knowledge. Open access to knowledge creates innovation. Innovation means the resolution to problems and the advancement of society.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

average available speed in easy to understand language, their speed of connection in easy to understand language, and quality of services in an easy to understand language.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There should be no interference with internet connection.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Kimberly Martin/Emporia State University

Name: Belgin Ştirbu  
Email: [belginştirbu@hotmail.com](mailto:belginştirbu@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not from me. Yes. Creates situations where people can't communicate freely.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive: None for the individual end-users.

Negative: Makes it possible to drive the end-user towards certain information while obscuring other. Opens a window for manipulation (political and otherwise).

Is there a demand for specialised services? Which services should be allowed this special treatment?

None from me. None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would certainly like to receive honest information on how my traffic is managed (i.e. if there is someone snooping on it, or if some services are offered preferential treatment).

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Belgin Ştirbu

Dear Sir or Madam,

Please take this Stakehold think the new Touring is better for carrying a boat than the X1.

I should tell you best regards from my dad. He says he would like boating with you. Right now I've brought him to Mirabellplatz to check his Hearing Aids. Later I've to wake up my budgies.

Attached a photo of 'Burli' and some of my budgies.

See your comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Mag. (FH) Petra Krölibg

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Mary White  
Email: [whitmf@gmail.com](mailto:whitmf@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I would like to know speed (the advertised speed is often far more than the actual speed, in my experience), and how my traffic is managed.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mary White

Name: Paul Reddy  
Email: [paulandrewreddy@yahoo.co.uk](mailto:paulandrewreddy@yahoo.co.uk)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you

should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Paul Reddy

Name: paolo timelli  
Email: [mundogrande@yahoo.it](mailto:mundogrande@yahoo.it)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
paolo timelli

Name: sarah dang  
Email: [mail.sarah@gmx.net](mailto:mail.sarah@gmx.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While specialised services could bring users additional quality, they could also limit freedom of communication, competition, and innovation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

non

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

average available speed of the ISP's connection with a specification of the maximum and minimum speed in a user-friendly way; quality of services parameters

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
sarah dang

Name: Konrad BARKE  
Email: [kbarke@gmx.de](mailto:kbarke@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

mit freundlichen Grüßen,  
Konrad BARKE

Name: tom henke  
Email: [NoMoreBS@e-mail.ph](mailto:NoMoreBS@e-mail.ph)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

why are you trying so hard to fuck up the internet? is it really to stop the little man from uniting across the globe?

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

all these questions are bullshit, you know exactly the impact you're aiming for by screwing us over yet again.

Is there a demand for specialised services? Which services should be allowed this special treatment? hand over all power of decision making in regards to the internet to the 99% and watch it flourish.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
absolutely NOT

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
no interfering at all, we already pay for speed and/or data caps. A lot of times we don't even get what we pay for. So you want to kick us in the teeth some more?

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of the information, thank you!

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
tom henke

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Ole Jungclaussen

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Ole Jungclaussen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Charles B. Mullen  
Email: [c.b.mullen@sbcglobal.net](mailto:c.b.mullen@sbcglobal.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Not that I'm aware of.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
ISPs have no business monitoring the content of traffic, for any reason.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Throttling should not be allowed and prioritized traffic should be banned, lest ordinary consumers suffer horribly. The Internet will become a "pay to play" commodity.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
ISPs should provide information on quality of services parameters in very clear language in all contracts.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Charles B. Mullen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Benedikt Hemmer

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Jillian Cherry  
Email: [Msmaricino@gmail.com](mailto:Msmaricino@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jillian Cherry

Name: Thomas Roth  
Email: [konzertgitarre@gmail.com](mailto:konzertgitarre@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It effects my rights to choose. Only an equal display of opportunities leaves the choice on my side and thus respects my rights as an individual and human being.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Future innovation will be inhibited by favouring certain services over others. Possibilities will be diminished

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not at all. Also it doesn't even help to forecast or plan. It is a delusion of false logic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. Leave it to unforeseeable effects of emergence.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Thomas Roth

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Jannik Beyerstedt

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Generally I don't think, that there is a demand for specialized services. Especially the car to car communication example is nonsense, because car2car is done local, over small distances, which has no need for specialized services.

And about e-health: If necessary, you can buy a fixed connection with assured bandwidth, which does not discriminate the general traffic.

So there are no specialized services needed, especially at these publicly discussed topics.

\*What could be the positive and negative impacts of specialized services on future innovation and openness of the Internet?\*

I think, that the internet should stay as it was invented - as a network of interconnected networks with no traffic discrimination. If there is enough bandwidth (which is given currently in the backbone) there is no need for anything else than free (not in the meaning of free of charge, but as libre/ frei) internet.

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

I think, that zero rating is against a free distribution of information. This limits a group of people, often people with not so much money to spend, from accessing unfiltered information. This is bad in many ways.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

Deep packet inspection is a very bad habit and the ISP should be a pure service provider, who is transferring data, not inspecting it. An ISP should be compared to the postal system, which also is not allowed to read your messages.

Another thing is, that deep packet inspection is useless, if you use (HTTPS) encrypted connections, which should be standard. So where is the point? Deep packet inspection is useless and invasive in any way.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

In times, where the separated analog and digital (ISDN) telephone communication is being turned off and replaced by VoIP services, there is a certain demand for a reserved bandwidth for telephone communications. But this is only the case on the last line to your house! Not all the internet connection on the ISP side! There is no need to interfere with certain types of traffic. And the problem on the last connection to your house is only present, because of small bandwidth (especially in Germany).

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I would like to have information about the uplink and downlink speed and whether anything is done with my traffic other than passing it to the requested IP-Address / the backbone.

In particular I would like to know:

- whether some types of traffic are throttled or prioritized
- whether my connection has an public IPv4 address or is hidden behind a carrier NAT
- whether my connection has a static or dynamic IPv6 address / address range and whether the IPv6 address range is given by DHCP or similar technology or if I can choose the address on my own.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Jannik Beyerstedt,  
Hamburg

Name: JOSEPH LITE

Email: [quintley@gmail.com](mailto:quintley@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
JOSEPH LITE

Name: James Cresswell  
Email: [jim.cresswell@gmail.com](mailto:jim.cresswell@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I have no desire to be exposed to these services and believe they would limit my rights e.g. by effectively reducing competition in video streaming services to large companies which can afford to pay premiums for artificially faster internet connections.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Small companies, where much true innovation happens, will be unable to afford, or unfairly and destructively hampered by, these charges for artificially faster internet connections.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None at all. Net neutrality is a fundamental design principal of the infrastructure and protocols which define the internet, without those ideals the internet would not have seen the enormous growth which benefits so many people today.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Complete transparency on all expected values, expected variance in those values, and all policies and conditions which affect expected speed and latency in a connection.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
James Cresswell

Name: Leo Trei  
Email: [pix45.lt@gmail.com](mailto:pix45.lt@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Noting

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Leo Trei

Name: Harald Rücker, BI lebenswertes Korbach e.V.

Email: [harald.ruecker@lebenswertes-korbach.org](mailto:harald.ruecker@lebenswertes-korbach.org)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Zero-Rating fördert den Einfluss von Google, Facebook & Co. und sollte nicht angewandt werden

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Der kleine User bleibt auf der Strecke

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Medizinische und sicherheitsrelevante Dienste, wie z.B. die Online-Steuerung von kommunalen, technischen Einrichtungen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht, alle sollen gleich behandelt werden.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Möglichst alle

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Harald Rücker, BI lebenswertes Korbach e.V.

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Krzysztof Woźniak

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

No, the only exception can be some "emergency lines". For example in mobile network calling 112/911/etc. could have high priority because that is critical for someone's life.

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

It is simply demanded by wealthy corporations to earn more money. It is wrong for the people.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No, it is against the human right, the right for the privacy.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

Absolutely none for the commercial stuff. However to the life critical service (like calling 112/911) it may be allowed to even stop the whole other bandwidth.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I think there are 2 most important indicators: minimum bandwidth (avg. and max. are not important) and minimum guaranteed availability (e.g. down time cannot exceed 1 hour per month).

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: All internet users everywhere: past, present, and future.

Email: [heartcanstand@gmail.com](mailto:heartcanstand@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for commercial practices of such as "zero-rating," beyond those made by ISPs for personal, financial gain. What I do on the internet, whether that is researching and applying to jobs, watching Netflix, playing video games with a friend across the world, or just reading and editing Wikipedia, is NONE of the ISPs' business. The ISPs' priorities are not necessarily the same as MY priorities, and allowing them to privilege one kind of traffic over another denies me the right to my own choices, and unduly influences choices I may make on the internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely NOT. There is no acceptable reason for ISPs to have access to that information.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE. ISPs creating arbitrary restrictions creates financial benefits for the ISPs, and detriments for internet users (who are forced to pay an arbitrary price for "faster" (aka non-throttled) internet access). Were ISPs allowed to infer with users' internet connections, they deliberately create a system in which internet access is a privilege, not a right. With internet access becoming more and more necessary to everyone, across the globe, in every financial bracket, of every class and color, this artificial barrier is an offense against humanity -- particularly those less privileged, less wealthy, and most in need of that access.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

If I look at my phone bill, I can see my usage: the number of texts I've sent, the time I've spent on calls at night or during the day. I can see how much data I've sent and received. If I look at my phone itself, I can see how strong the signal is, and what network my data exchange is being processed on - - i.e., how quickly or slowly my data will be processed, and how good or bad my cell phone service is. We've had these standards for years. They're a basic expectation. Why should we treat the internet any differently? It's more than reasonable to expect the same or better from ISPs. The internet is a utility; when was the last time you met someone without the need and/or access to the internet? Some people go to the library (some used to go to payphones), some people have computers at home (some people had party lines, then personal phone lines), some people only have access through their phones (some people carry tiny computers around in their pockets, which also work as phones). Internet access is pervasive and necessary; everyone across the world is entitled to know all of the information available about their internet connection.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
All internet users everywhere: past, present, and future.

Name: Axel Yoshimoto  
Email: [axel.yoshimoto@gmail.com](mailto:axel.yoshimoto@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Sehe keinen Bedarf. Möchte gerne Datenpakete zu vernünftigen Preisen, damit ich mir die Inhalte selbstbestimmt aussuchen kann.

Ferner könnte ich gezwungen sein, bestimmte Anwendungen zu nutzen, auch wenn mir diese nicht zusagen, weil mein Provider Konkurrenzprodukte blockt.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Das einzig positive, das mir einfällt, könnten Dienste der Katastrophenhilfe sein. Dass ich schneller an solche Informationen gelange wäre als Betroffene(r) sicher von Vorteil.

Bezahlte Überholspuren im Allgemeinen sehe ich jedoch als monopolistisches Mittel der 'Big Player' um ihre Marktmacht zu stärken.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Wie bereits erwähnt, Katastrophenhilfe und ähnliche soziale Projekte.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Verfügbarkeit. Stehe meist vor der Box, alle Lampen grün und doch keine Verbindung nach draußen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein, nachher werden meine Pakete geblockt oder extra langsam geroutet, weil meine Anfragen dem Provider nicht passen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht. Es sollte mir mit (der vom Provider bereitgestellten) Hardware überlassen sein zu entscheiden, welche Dienste ich bevorzugt behandeln möchte.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen.

Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Axel Yoshimoto

Name: Ron R.

Email: [twicer@sbcglobal.net](mailto:twicer@sbcglobal.net)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

This is breach of privacy and should not be allowed for a truly free and open internet.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference should be allowed.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Ron R.

Name: Joseph Naidnur  
Email: [jnaidnur@gmail.com](mailto:jnaidnur@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for commercial practices from individual, private Internet users. These are imposed by existing groups that are a means of funneling traffic towards their own content which in turn severely limits what is available from smaller users. It should be up to individuals to decide which content they can access.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services paves the way for discrimination towards Internet users seeking to remain independent of large corporate entities. Regulation of specialized services would be the end of free Internet access and economic competition due to the creation of "fast lanes" by major players. The only positives to this regulation would be for whoever is running the fast lanes as they would be increasing their own profitability while outcompeting smaller entities.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. This is a violation of my privacy and personal freedom.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There should be no interference at all. It goes against my wishes as a consumer and this is alarmingly close to censorship.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Joseph Naidnur

Name: Fritz Becker  
Email: [fbeweb@web.de](mailto:fbeweb@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

Gibt es einen Bedarf für "kommerzielle Praktiken?"

Für den Provider höchstwahrscheinlich- JA. für den Endverbraucher eindeutig - NEIN

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Jeder "Spezialdienst" ist eine Möglichkeit in die Neutralität des Netzes einzugreifen. Das lehne ich ab!

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?

Gibt es einen Bedarf für Spezialdienste? Nein!

Die erforderliche/gewünschte Bandbreite hat der Provider bereitzustellen. Dafür bezahle ich meinen Provider.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein, das geht den Provider nichts an.

Wenn ich die Autobahn befahre muss ich auch nicht angeben wo ich hin will.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können.

Überhaupt nicht. Er soll die bestellte Bandbreite liefern, nicht mehr und nicht weniger

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist.

Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen.

Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen

würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Fritz Becker

Name: Jonas Steponaitis  
Email: [steponaj@takas.lt](mailto:steponaj@takas.lt)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
none

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
I do not know.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
I have none.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of this information

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jonas Steponaitis

Name: Dimitrios Routsis  
Email: [mnqsaahxdk@snkmail.com](mailto:mnqsaahxdk@snkmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No services should be allowed a special treatment / priority.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Absolutely no. Under no circumstances.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference whatsoever. The Internet should be free and open, and up to each individual.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Dimitrios Routsis

Name: Kamil Drynda  
Email: [kdogexplodes@gmail.com](mailto:kdogexplodes@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
not strictly

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
minimally, almost not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Kamil Drynda

Name: Susan C Lemont  
Email: [vernalpoole@yahoo.com](mailto:vernalpoole@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Susan C Lemont

Name: Jan-Karsten Pfeil  
Email: [jkpfeil@yahoo.de](mailto:jkpfeil@yahoo.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Nope

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Upload, download, average ping, average stability, data caps/limits, IPv4 or IPv6 addresses.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jan-Karsten Pfeil

Name: Heather Bennett

Email: [Hb08@aol.com](mailto:Hb08@aol.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, never.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never, none. They should never interfere.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Heather Bennett

Name: Daniel B Schruender  
Email: [doctorwho92376@netzero.com](mailto:doctorwho92376@netzero.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

To be truthful, I don't know.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

ISPs and governments would have more control over what we see and hear. I'll decide what's appropriate for me to see and hear.

Is there a demand for specialised services? Which services should be allowed this special treatment? I would need to see examples of specialized services before making a decision.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Efficiency and expediency are not sufficient reasons to take away any portion of a person's privacy rights.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None. I'll decide what's appropriate for me to see, not an ISP, and not the government.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Whatever is necessary for my benefit.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Daniel B Schruender

Name: Holly Rawson  
Email: [hollyandbrian@gmail.com](mailto:hollyandbrian@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Holly Rawson

Name: Justus Otte

Email: [anton1994.jo@gmail.com](mailto:anton1994.jo@gmail.com)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Es wird geförderte internetriesen geben mit denen keine noch so gute Idee mehr konkurrieren kann.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein bzw keine.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, mein Surfverhalten ist teil meiner Privatsphäre und sollte in diesem Sinne nicht beeinflusst werden. Analysen von mir aus, aber eingreifen NIEMALS!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Wenn mir jemans erklären kann was das bringen soll kann ich es mir überlegen.. bis dahin finde ich es eine unverschämtheit!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Qualität und Geschwindigkeit sowie Datenmenge und gespeicherte Daten von mir möchte ich im Überblick haben.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Justus Otte

Name: John Simonsen, citizen  
Email: [john.simonsen.mail@gmail.com](mailto:john.simonsen.mail@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't care if there is demand or not. The internet should be considered infrastructure, like radio, TV. Regulation should not stifle competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It violates the entire principle of what the internet ought to be, which is to be open to all users.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Don't know. Not by me.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. I don't want anybody opening my mail, either, or tapping my phone or government voyeurs peeking through my windows. Leave us alone!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None, zero, zip, nada

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Just want it to work

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
John Simonsen, citizen

Name: Dario Cuzzilla  
Email: [dario.cuzzilla@libero.it](mailto:dario.cuzzilla@libero.it)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Dario Cuzzilla

Name: David McFarland

Email: [mcmoekann@gmail.com](mailto:mcmoekann@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

never

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,

David McFarland

Name: Jon Gibbins  
Email: [email@jongibbins.com](mailto:email@jongibbins.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Rights of access will be limited to those who are willing to pay extra over this who are unable to.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive: Companies will make more profit.

Negative: End users will suffer.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

This information should be available on demand. Users have the right to use their internet access freely and request traffic shaping to be switched off when desired.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Quite simply, no. Let's try getting those with little/no internet access up to speed before meddling with those who currently already have it.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The internet is an open network, it's not actually owned by anyone. With this in mind why are companies trying to monetise what in essence is a free platform? Traffic shaping will just disrupt those who already use the network in their own legitimate way.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Jon Gibbins

Name: Sharaz Mckie  
Email: [shaz52092@hotmail.com](mailto:shaz52092@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any commercial practices which limit user’s rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No and None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sharaz Mckie

Name: Marlon Miller  
Email: [dearzainmiller@gmail.com](mailto:dearzainmiller@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
full transparency

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Marlon Miller

Name: Martin Horwitz  
Email: [martin7ahorwitz@yahoo.com](mailto:martin7ahorwitz@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all!

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Martin Horwitz

Name: Brent Townsend  
Email: [i\\_bend@hotmail.com](mailto:i_bend@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Could give the ability to censor sites, control data speeds and log even more data against my ip address.

I for one am about to start using more encryption and a VPN

What could be the positive and negative impacts of specialized services on future innovation and openness of the Internet?

Promotion of big business over smaller ones, Thus gain more ground and shutting others out.

Censorship and restrictions on what was always meant to be a free place for all to use and enjoy

Is there a demand for specialised services? Which services should be allowed this special treatment?

No there isn't and none should be allowed any special treatment

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All relevant information regarding my paid access to the net should be disclosed to me

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Brent Townsend

Name: Michael Bendler  
Email: [michael.bendler@gmail.com](mailto:michael.bendler@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Höchstens Ärzte die eine absolut stabile Leitung benötigen z.B. Tele-Operationen. Ob dies aber wirklich über das Internet laufen muss ist die andere Frage. Trotzdem kann in diesem Fall eine Ausnahme gemacht werden, da dies nun mal wichtiger ist als dass jemand ein Video abrufen kann.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Natürlich wäre es gut wenn man beispielsweise ein Video-on-demand Angebot hat wenn dieses auch stabil läuft. Trotzdem habe ich lieber stockende oder Videos mit niedriger Qualität als dass dies das Ende des Internets wie wir es kennen darstellen.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Möglicherweise, allerdings wäre dies Kartellrechtlich sehr bedenklich und würde vor allem Start-ups behindern. Keine wirklich gute Idee.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Gar nicht. Das Internet soll Dinge gleich behandeln. Es kann in Notfällen Ausnahmen geben, diese müssen aber begründet sein, diese Begründung sollte nur zeitlich begrenzt gehen und muss gut begründet sein, Begründung muss öffentlich sofort, spätestens aber innerhalb 2 Wochen erfolgen. Und selbst dann sollte die Geschwindigkeitsunterschied nicht mehr als 25% des Traffics betragen.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Ich hätte gerne Informationen darüber, sehr gerne. Vor allem aber ein besserer Service wäre hier gut. Transparenz und Kommunikation darüber wie die Geschwindigkeit an meinem Standort ist wäre sinnvoll. Es sollte beides vorhanden sein: Maximalgeschwindigkeit und Durchschnittsgeschwindigkeit.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolut nicht. Deep Packet Inspection ist wie das Brechen des Postgeheimnisses; dies muss gleich behandelt werden wie wenn jemand gegen das Postgeheimnis verstößt!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Michael Bendler

Name: Ed Green  
Email: [ed.green.home@gmail.com](mailto:ed.green.home@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Regulation explicitly bans commercial practices that limit the exercise of individual users' rights online. Zero rating (where access to some applications/services is unlimited while all others are counted towards your monthly download limit) allows the provider to discriminate between online services. Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Commercial practices in the Regulation should be understood as any restriction on the basic functionality of the Internet for commercial purposes and which is not necessary for the functioning of the network.

Paid content services (subscription to music or video services) are different from zero rated services, as access to the entire internet remains uncompromised at all times.

Any commercial practices which limit user's rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Ed Green

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Ainsley Skye Waters

Email: [sandresb@unm.edu](mailto:sandresb@unm.edu)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Ainsley Skye Waters

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Jan Huwald

In case of media shared by independent persons (e.g. cable modems) it is in theory ok if multiple tiers of traffic are available, e.g. bulk and low-latency. But this depends on several hard-to-meet precodintions:

1. Traffic classes have to be independent of the protocol, service and packet destination.
2. Preventing starvation of one traffic class due to high demand of another is mandatory.
3. Classyfing to which traffic tier a packet belongs has to happen under full user control. This is manageable for the upstream (to ISP) but not yet developed for downstream applications (from ISP). A possible implementation would allow the customer to setup firewall-like rules (e.g. udp port 65 -> low latency; otherwise -> bulk).

Given that the internet works quite well without special treatment and that regulating this special treatment is highly complex it is advisable not to allow to all.

A proliferation of special-services will be an additional factor that prevents the modernization of internet protocols, as novel protocols will typically be unable to use special services.

There is no consumer demand for zero rating at all. Zero rating works against the universal right of every human being to have an internet connection. Instead disadvantaged people will be economically forced to use the zero-rated connection and thus become victim of aggressive advertisement, surveillance and access limitations. By claiming that the poor already have "internet", the motivation to get them actual internet access is reduced.

Per default an ISP should look into no layer above the IP layer.

If the user wishes to enact some traffic management at the ISP (e.g. downstream traffic shaping as discussed three questions ago) then an ISP may look into higher layers, but only to the explicit instructions of the user.

In the absence of resource contention the ISP must not interfere at all.

In the presence of contention, the ISP may interfere. It must not prioritize based on protocol, service or destination. It may prioritize based on long-running bandwidth averages with the end result that a user with spiky traffic pattern (e.g. HTTP surfing & downloads) gets roughly the same bandwidth share as a user with constant bandwidth (e.g. P2P filesharing).

1. Bandwith from me to the ISP and from the ISP to the rest of the internet.
2. Amount of contention (e.g. the percentage of a month where demand exceeds available bandwidth)
3. Availability
4. Number of assigned IP addresses, size of IPv6 subnet, policy how the

addresses are recycled (e.g. static IP vs. random IP) 5. Statement that no discrimination of traffic based on protocol, service or destination is happening.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Louise Axelson; self  
Email: [laxelson162@gmail.com](mailto:laxelson162@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No zero rating! I want to be free to use all Internet services, without someone manipulating my choices. I don't want my use of the Internet to become complicated by being presented with hazy and misleading "facts."

Is there a demand for specialised services? Which services should be allowed this special treatment? I am perfectly happy with what I currently have access to. Again, there's no need to complicate and interfere with my free use of the Internet. I don't want to have my online experience disrupted by redundant and unnecessary controls.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! I want a free internet, not one that routinely compromises my privacy for their own very questionable reasons.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Clearly stated information--not information written in language that is difficult for the average person to understand. People differ in the information that they seek about their service. I believe all the basic information that relatively computer savvy users need in order to get the optimal use of the Internet should be available.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Louise Axelson; self

Name: Jay Lambert  
Email: [songjlambert@gmail.com](mailto:songjlambert@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Absolutely. It's a terrible idea and interferes with our rights to interact with other people.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Honestly I don't see any positive impacts of loosing net neutrality for the average user and customer base. At all. Big business DOES NOT have more rights than the people.

Is there a demand for specialised services? Which services should be allowed this special treatment? The amount of money and time going into this would be incredibly detrimental to everyone and would end up a loss making revenue.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Absolutely not. This interferes with what people can see, and as such, free speech.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Any/all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jay Lambert

Name: Richard Foreman  
Email: [ebfrac3@gmail.com](mailto:ebfrac3@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all of it

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Richard Foreman

Name: Rockford Bona  
Email: [irock1972@msn.com](mailto:irock1972@msn.com)  
Confidential: No

-----  
Dear Sir / Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating has no place on the Internet period.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero percent

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Rockford Bona

Name: personal  
Email: [ihinckle@gmail.com](mailto:ihinckle@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
personal

Name: Charles Larkin  
Email: [charleslarkin2nd@gmail.com](mailto:charleslarkin2nd@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any "demand" for such commercial practices, such as zero-rating, would be driven by ISPs searching for greater revenues and greater control over the internet. No such practices should be permitted.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of "specialized services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? As I stated earlier, demand for such "specialized services" would be driven by ISPs seeking to maximize their profits and control of the internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No interference should be permitted

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

My ISP provider furnishes me no information regarding my service. I believe all ISPs should provide clear, understandable and easily available information about its service? BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. All ISPs should provide concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialized services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behavior in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Charles Larkin

Name: Larry Podsobinski  
Email: [podzoid@gmail.com](mailto:podzoid@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
very dismal...

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
big telecom monopolies and restrictions on the internet are the communism in a free society, in a free internet world...

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO under no pretense or circumstances....

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
how my traffic is managed

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none whatsoever.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Larry Podsobinski

Name: Bradley Richardson  
Email: [vampirepoet@gmail.com](mailto:vampirepoet@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? The only "demand" for such specialized services comes from the greed of the ISPs who stand to make untold amounts of money by blackmailing the internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
There would be NO positive impacts.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no user end demand for such practices. Such practices slant the playing field in favor of big companies that can pay the extortion "fees" that ISPs would charge. I, and many of my friends, use the internet to make a living. We in no way could afford to compete with sites like Amazon to pay to keep our sites in the fast lane that ISPs would create. Allowing ISPs to create an internet fast lane would literally interfere with our ability to pay our bills, put food on the table, and keep a roof over our heads. For us this isn't some abstract thing like "not being able to browse some of our favorite niche websites because they load too slowly". This directly effects our ability to live.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. What I, or anyone accessing the internet, do online is nobody's business but mine.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Bradley Richardson

Name: Rob Brown  
Email: [drinkingbeer@gmail.com](mailto:drinkingbeer@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The only demand comes from very large network providers. Their rating system could bury useful websites and Apps if they competed with any company or person that 'pays' into this zero rating.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Pay to play favors only the well financed content providers.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
See previous answer.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Rob Brown

Name: Julio Cesar Serrano Ortuno

Email: [mhysterio@gmail.com](mailto:mhysterio@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

¿Existe una demanda de "prácticas comerciales", tales como el Zero rating? ¿Limitarían éstas tus derechos como usuario final? Por favor, proporciona ejemplos si es posible.

Desde luego que sí. Hace unos años mi operador decidió que no me cobraría por los datos de Facebook. Esa decisión hizo que mucha gente pasara más tiempo en Facebook comparativamente que en otras webs. Pero si decides no pasar en Facebook más que unos minutos al día, y lo que quieres es poder acceder a otro tipo de páginas. Orange no te lo permite, lo que constituye un agravio comparativo, puesto que yo quiero pagar por un acceso a internet libre, no que la operadora decida por mi lo que voy a ver en la red.

¿Cuáles pueden ser los impactos positivos y negativos de los servicios específicos en el futuro de la innovación y la apertura de Internet?

Voy a poner un ejemplo que está en mente de todos. Movistar ha conseguido en España agrupar casi toda la oferta de series y fútbol. Ahora aterriza Netflix y la compañía decide que Netflix va a ir más lento en las conexiones de sus usuarios. Eso machacaría a Netflix en favor de Movistar, ya que los usuarios preferirán no tener que esperar para ver series en streaming. Ahora bien, Netflix es una compañía establecida y con presencia en varios países. ¿Qué pasaría si en lugar de Netflix le pasara al servicio de una startup? Pues que seguro que eso los hundiría y con ellos cualquier posibilidad de innovación. Estamos hablando de algo muy peligroso que es mejor que nunca tengamos que ver hecho realidad,

¿Existe una demanda de servicios especializados? ¿A qué servicios se les debería permitir este tratamiento especial?

A mi juicio, existe una demanda de un acceso libre a internet en el que no se discrimine ningún servicio. Por ello no se debe dar ningún tratamiento especial a nadie. Sobre todo cuando el motivo no es ventajoso para nadie más que las propias operadoras que buscan incrementar sus beneficios de formas que deberían ser ilegales.

¿Debe permitirse a los proveedores de acceso a internet monitorizar tu tráfico, incluyendo su contenido (por ejemplo, mediante la inspección profunda de paquetes) para llevar a cabo la gestión del tráfico?

No. Las operadoras o ISP son meros canales en los cuales los usuarios compramos nuestra conexión. Como consumidores queremos lo que pagamos y no podemos tolerar que se monitoricen nuestras comunicaciones, ni que estos puedan negociar con las grandes empresas de Internet para recibir pagos por otra parte. El negocio es el que es y debería ser ilegal cualquier intento de extensión en las direcciones mencionadas.

¿Cuánto debería ser capaz tu proveedor de Internet de interferir en tu conexión a Internet - por ejemplo, para ralentizar o priorizar determinados tipos de tráfico online (vídeo, P2P, etc.)?

Nunca. Como ya he dicho, yo pago por la conexión y eso es lo que quiero obtener a cambio. No es justo que puedan vendernos para agrandar sus beneficios.

¿Qué información te gustaría recibir respecto a tu conexión a Internet, por ejemplo sobre la velocidad, calidad de servicio o cómo se gestiona el tráfico?

No deseo recibir ninguna información. Lo que quiero es una Internet libre y abierta, sin injerencias de ningún tipo ya sea en monitorización o gestión del tráfico. Bajo ningún concepto el tráfico debe ser gestionado. Como los ríos, que fluya libremente y sin cortapisas. Si de verdad en Europa lo principal son los ciudadanos, no existe motivo para regular Internet, ya sea el zero rating o lo que sea. A no ser que lo que prime en Europa sea solo el dinero y las grandes empresas. Si se les debe permitir estrujarnos como mejor les parezca, entonces adelante con este absurdo. Pensemos una cosa más: si la conexión es un servicio por el que pagamos los usuarios, ¿por qué buscan sobrarles a los que ponen los contenidos? Se debe cobrar a unos o a otros, pero no a los dos. Se debería avanzar en que la conexión a Internet sea un derecho para el ciudadano y que sea como tal gratuita. Para ello, los estados deberían renacionalizar las operadoras. Todo avance en sentido contrario a esto, es un sinsentido.

La transparencia no puede, según lo propuesto por la Comisión en su proyecto inicial del Reglamento y posteriormente rechazado, ser considerada un antídoto para los comportamientos anti-competitivos por sí sola. La transparencia tiene un alcance limitado en la solución de problemas, sobre todo en este contexto.

El Reglamento permite la existencia de servicios especializados únicamente bajo estrictas condiciones y garantías. El artículo 3(5) y la consideración 16 requieren que la optimización de los servicios especializados sea objetivamente necesaria para la funcionalidad de características clave de servicio. Este no puede ser el caso de servicios capaces también de funcionar en el Internet abierto, de entrega al mejor esfuerzo (best effort). Por otra parte, la consideración 16 impide que los servicios especializados sean utilizados como elusión de las normas sobre neutralidad de la red para la gestión del tráfico. Cualquier desviación de estas garantías de seguridad para ampliar la aplicabilidad del concepto de servicios especializados causaría inevitablemente un aumento de las barreras de entrada al mercado y por lo tanto debilitaría el potencial innovador de Internet en su conjunto.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

Si se autoriza a los proveedores de acceso a Internet a cobrar por el tratamiento preferencial, tienen un incentivo para dejar de invertir en la capacidad de red para el Internet "normal" y reducir sus límites de datos para empujar a sus clientes a utilizar cada vez más los servicios especializados. Este efecto sería perjudicial para las minorías, las personas desfavorecidas y las nuevas empresas que no pueden permitirse pagar por un acceso especial a todas las redes que les permita llegar a sus clientes, así como el desarrollo del ecosistema libre, abierto e innovador de Internet.

La discriminación económica (Zero rating) interfiere en mi derecho, en virtud del artículo 3(1), de acceder y en particular de distribuir información libremente. Si un proveedor de Internet discrimina entre proveedores de contenidos, aplicaciones y servicios haciéndolos desigualmente accesibles a través de su servicio de acceso a Internet está constituyendo una injerencia arbitraria en la esencia de

mis derechos. Por otra parte, esta práctica restringe mis derechos en virtud de la Carta de los Derechos Fundamentales (artículos 11, 15(2), y 16). Por lo tanto, la discriminación económica no debe permitirse bajo las directrices del BEREC.

Kind regards,  
Julio Cesar Serrano Ortuno

Name: Moriah Seaman  
Email: [moriah.seaman@gmail.com](mailto:moriah.seaman@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No throttling of any kind.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Moriah Seaman

Name: David Stöckl  
Email: [david.stoeckl@blackbam.at](mailto:david.stoeckl@blackbam.at)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for commercial practices. As already said - provide fast internet in general. Otherwise it will be hard for startups and little services while big companies become even more untouchable. This will be counterproductive to innovation.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can not see any positive aspects beside in very special areas of e.g. real-time applications for science and health. Negative impacts are obvious: It is bad for all services which are not well-known, it is bad for every company with lower budget and it is bad for every internet user which is performing unconventional activities.

Is there a demand for specialised services? Which services should be allowed this special treatment? Not really. As already said - if even - very special cases which are important for humanity in general e.g. health and science.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much information as possible but in a clear, structured, understandable way. A consistent, strong internet connection with no lags is more important than speed alone.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not. Surveillance by the ISP for the purpose of traffic management is a no go. This information may be misused. The traffic management is undecidable in a fair way.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not in any way. Provide fast internet generally everything else will lead to inconsistencies and unfair treatment.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
David Stöckl

Name: jacob van Director S.C. International

Email: [jacobo.van@gmail.com](mailto:jacobo.van@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

potential rating a reality but rates should not be related, only constant.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

unlimited fees may later be added to achieve the same goal in future billing reality

Is there a demand for specialised services? Which services should be allowed this special treatment?  
a bundler may enter this area

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

minimal

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
jacob van Director S.C. International

Name: Tiago Casal Ribeiro  
Email: [tiago@casalribeiro.com](mailto:tiago@casalribeiro.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tiago Casal Ribeiro

Name: Julia Dalton  
Email: [jdalton3@gmail.com](mailto:jdalton3@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Just stay out of the internet. Stop trying to control and interfere and spy.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Then the internet just becomes another tool of the corporate takeover of the US and the world. This needs to stop. This is insane. Stay out of it. Mind your own business and stay out of mine.

Is there a demand for specialised services? Which services should be allowed this special treatment? Companies that need it for video streaming like a Netflix.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. That is spying. Government has no business in my business.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. Stay out of it. You have not business interfering.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I've tested my internet speed many times. I'm told by Time Warner Cable I'm paying for 50 but when I test it it goes as low as .14 and the highest I've ever gotten is around 23. There are no other services available to me and I live in NYC. This is more corporate bullshit and control. I pay a huge fee every month for this fraudulent service. This is more corporate control. Where is my freedom of choice? There is none.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Julia Dalton

Name: Anja Kittelsen  
Email: [anja.allemande@gmail.com](mailto:anja.allemande@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Anja Kittelsen

Name: Aaron Echols  
Email: [aaron.echols@outlook.com](mailto:aaron.echols@outlook.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? If services are allowed special treatment, even if such special treatment costs no money to enable, it puts unfair strain on Web service companies who would need to seek out these options and spend money to research the consequences of using them, risking loss of users in either case

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services restrict the rights of users by allowing ISPs to freely influence the actions of the user. It can easily coerce users into sticking to "approved" platforms for discussion and away from new businesses and small communities

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I do not like this practice. As a T-Mobile customer, my phone traffic is currently subject to such zero-ratings and it does certainly influence which websites I choose to use and puts new services at a disadvantage

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Certain protocols can be throttled, but only in times of heavy load to support essential infrastructure. In the case of checking for video traffic, P2P or other types of traffic, ISPs should only be able to look at the network protocol and not throttle based on destination or source addresses

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, they should be required to obtain a warrant for each instance of packet analysis, as it is akin to rifling through a person's home and analysing their personal things.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

If I am paying my ISP for a certain level of reliability and speed I should be able to check the actual performance through their website as measured from their connection to my modem. This includes minimum speeds, maximum speeds, ping, downtime, averages, and comparison to advertised results.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Aaron Echols

Name: Hans Heaney

Email: [hansh@artelco.com](mailto:hansh@artelco.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Hans Heaney

Name: Franz Kitzberger/We the People of the United States of America

Email: [franzjk@newulmtel.net](mailto:franzjk@newulmtel.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Absolutely NO interference!

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Franz Kitzberger/We the People of the United States of America

Name: Lutz Koch / Der Lutz  
Email: [lutz.koch@derlutz.com](mailto:lutz.koch@derlutz.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Keine kommerziellen Praktiken - kein Zero-Rating Ich vermute ein Großteil des Datenvolumens auf Servern und auch der Datentransfer dient lediglich kommerziellen Praktiken. Untersuchen Sie doch mal die Auswirkungen von personalisierter Werbung und den großen Datensammlern auf unser Klima. Das Internet sollte der Menschheit dienen und sie weder kontrollierbar machen noch mit unnützer Werbung zumüllen.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Es liegt doch auf der Hand das solche Spezialdienste dann zum Steckenpferd der Telekommunikations-Konzerne mutieren. Dort wo Geld zu verdienen ist wird investiert, Service geboten und hofiert.

Der Privatanutzer ist dann doch keinesfalls mehr von Interesse für einen multinationalen Konzern.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Wenn überhaupt vielleicht Rettungsdienste, Infrastruktur, etc. aber keine kommerziellen Dienste

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Meine Privatsphäre sollte meine Privatsphäre bleiben und nicht verarbeitet werden wozu auch immer.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte nur einen schnellen, zuverlässigen Zugang.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Lutz Koch / Der Lutz

Name: Magnus  
Email: [lmlb\\_lmlb@hotmail.com](mailto:lmlb_lmlb@hotmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Magnus

Name: Michael Jaegers  
Email: [michael@jaegers.net](mailto:michael@jaegers.net)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen

wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Michael Jaegers

Name: Jon Spitz  
Email: [plantbased.js@gmail.com](mailto:plantbased.js@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Jon Spitz

Name: Ronald Reschke  
Email: [rreshron@hotmail.com](mailto:rreshron@hotmail.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ein solcher "Bedarf" darf die Freiheit des Internets nicht einschränken und die Gleichberechtigung der Nutzer nicht unterlaufen

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Nutzerhierarchie, Manipulation, wenigstens indirekte Zensur, Angriff auf Freiheit des Internets

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Keine Sonderstellung, Kapazitätsprobleme nur durchaus praktikable technische Lösungen beseitigen

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht. Das technische Potential soll ausgebaut werden, um Belastungen anonym abfedern zu können

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

im Kern die genannten. Darüber hinaus Informationen über Zusammenarbeit des Anbieters mit staatlichen u/o militärischen, geheimdienstlichen Einrichtungen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Ronald Reschke

Name: Tobey Layne  
Email: [tobeylayne38@gmail.com](mailto:tobeylayne38@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Tobey Layne

Name: Thomas McFadden  
Email: [djtommycf@hotmail.com](mailto:djtommycf@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

0%

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know its speed, quality of service & how my traffic is managed.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Thomas McFadden

Name: Justin Hu  
Email: [justin.jn.hu@gmail.com](mailto:justin.jn.hu@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

While there may be demand for these services, as an end user, this would be anticompetitive; small businesses can't afford to get special privileges for their content.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This is an egregious breach of privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all, unless there is a warrant.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Justin Hu

Name: Stefan Faller  
Email: [stefanfaller@ymail.com](mailto:stefanfaller@ymail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Without a reasonable suspicion of illegal activity, no-one has the right to monitor internet users, their traffic or the contents of that traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There should be no interference allowed at all. The customer has the right that - at all times, independent of the type of internet usage - he gets the full speed he or she is paying for.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Stefan Faller

Name: Felix Betzin  
Email: [mail@felixbetzin.com](mailto:mail@felixbetzin.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user?

I say NO! What do YOU say?

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I say NO! What do YOU say?

How much should an ISP be able to interfere with the Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. What do YOU say?

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

I urge you to protect the free internet for the all of us.

Kind regards,  
Felix Betzin

Name: Mathias Klotz  
Email: [klotz.mathias@googlemail.com](mailto:klotz.mathias@googlemail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Keine.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Innovative Ideen werden von Providern unterdrückt.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

Es gibt keinen Bedarf.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Geschwindigkeit.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

mit freundlichen Grüßen,  
Mathias Klotz

Name: Andrew Hatch

Email: [theoriginalandrewhatch@hotmail.com](mailto:theoriginalandrewhatch@hotmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Andrew Hatch

Name: Kenneth Toft  
Email: [kennytoft@gmail.com](mailto:kennytoft@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Only monied groups will be able to gain access. The majority of us will be locked out.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
emergency services only (fire, water, police/civil defense)

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Kenneth Toft

Name: Leonard Melbont  
Email: [Pauw2@live.nl](mailto:Pauw2@live.nl)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

For me, the term Commercial Practices is too new for me to leave my opinion, so I’ve nothing to say about it, other than it sounds like it could anger a few people.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I wouldn’t know yet. I’ve just heard about specialised services, but it’s name does sound shady. It gives me the impression that the services specialize in a small specific zone, rather than one giant world.

Is there a demand for specialised services? Which services should be allowed this special treatment? None that I can think of.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

For me, Internet Speed is the most important.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The mere idea of this is just absurd through my eyes.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Personally, I’d say: None at all! Some of us watch something online on our screen on a very active basis. Interference with the internet connection would just bring frustration to people who want to watch videos or play games that can only be played online.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Leonard Melbont

Name: Robert L R Wesly, MD, PhD

Email: [robertwesly@hotmail.com](mailto:robertwesly@hotmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Robert L R Wesly, MD, PhD

Name: Gabriella Nunez  
Email: [nunez\\_gabriella@yahoo.com](mailto:nunez_gabriella@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Charging more for one service than for another leaves too much room for the stifling of unflavored sites, apps and services

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

These measures would stifle competition

Is there a demand for specialised services? Which services should be allowed this special treatment?

None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Gabriella Nunez

Name: Tom Neumann

Email: [kenny.tom95@gmail.com](mailto:kenny.tom95@gmail.com)

Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Nein, denn es ist ja meine Entscheidung, welche Dienste ich nutze. Wenn z.B. Netflix von einem eventuellen monatlichen Volumen ausgenommen wäre, ich aber nunmal eine kleinere, unbekanntere Streaming-Seite häufig nutze, weil sie mir besser gefällt, bessere Preise bietet o.Ä., soll ich plötzlich eingeschränkt werden? Damit entscheidet ja mein Provider für mich, welche Dienste ich intensiv nutzen darf, obwohl diese Entscheidung doch bei mir, dem Verbraucher, liegen sollte.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Zum einen könnten mittlerweile etablierte Dienste ihre Funktionen und Angebote weiter ausbauen, da sie ja über einen Spezialdienst eine ungehindert hohe Übertragungsrate gewährleistet bekommen. Das könnte vor allem fürs Streamen von Filmen, Musik, oder zukünftig sogar Games profitabel sein.

Auf der anderen Seite jedoch würde man so kleineren Anbietern und Startups viele Chancen nehmen, da die freigehaltene Kapazität für die Spezialdienste ja irgendwo eingespart werden muss, und eben diese kleineren Anbieter laufen so Gefahr, aufgrund langsamerer Übertragungsraten unterzugehen.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?

Jein. Bei wem genügend Bandbreite vorhanden ist, bei dem laufen Dienste, die von dieser Maßnahme profitieren könnten, in der Regel sowieso einwandfrei. Wenn die Leitungen nun schlechter ausgebaut sind, müssen zwangsläufig andere Datenpakete gedrosselt werden, wenn zum Beispiel ein Streaming-Dienst immer die bestmögliche Übertragungsrate erhalten soll. Ich persönlich bin mir also nicht sicher, inwiefern die Realisierung solcher Spezialdienste sinnvoll/technisch möglich wäre.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein, der Provider ist eben das, ein Provider, und als solcher geht es ihn nichts an, was genau ich mit der von ihm zur Verfügung gestellten Verbindung mache.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht. Ich will generell die bestmögliche Übertragungsrate, zumal diese ja auch von den jeweils mitwirkenden Servern abhängig ist. Außerdem kann der Provider im Einzelfall doch gar nicht wissen, welche Verbindungen für mich wichtig sind, und welche nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Eigentlich möchte ich Zugriff auf alle relevanten Daten haben. Schließlich brauche ich ja etwas in der Hand, sollte es einmal zu Problemen mit der Verbindung kommen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Tom Neumann

Name: Oscar Revilla

Email: [oscarrevilla10@hotmail.com](mailto:oscarrevilla10@hotmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

¿Existe una demanda de "prácticas comerciales", tales como el Zero rating? ¿Limitarían éstas tus derechos como usuario final? Por favor, proporciona ejemplos si es posible.

SI

¿Cuáles pueden ser los impactos positivos y negativos de los servicios específicos en el futuro de la innovación y la apertura de Internet?

Huida de los servicios de internet por miedo a la censura, al control social y la represión.

¿Existe una demanda de servicios especializados? ¿A qué servicios se les debería permitir este tratamiento especial?

[cbeac7ba@opayq.com](mailto:cbeac7ba@opayq.com)

¿Debe permitirse a los proveedores de acceso a internet monitorizar tu tráfico, incluyendo su contenido (por ejemplo, mediante la inspección profunda de paquetes) para llevar a cabo la gestión del tráfico?

NO

¿Cuánto debería ser capaz tu proveedor de Internet de interferir en tu conexión a Internet - por ejemplo, para ralentizar o priorizar determinados tipos de tráfico online (vídeo, P2P, etc.)?

NADA

La diversidad y la capacidad innovadora del ecosistema de Internet se basan en su bajo coste para la innovación y bajas barreras de entrada al mercado. Estos principios aseguran desde el primer día que toda empresa, start-up o servicio no comercial - sin importar su humilde tamaño o financiación - tenga el potencial de alcanzar una audiencia global de igual manera que sus competidores. Esta fuerza impulsora para la prosperidad y la diversidad de la economía online sólo puede asegurarse con un Internet abierto, neutral y no discriminatorio. Si se permite que los proveedores de Internet puedan interferir en las decisiones de sus clientes, mediante la discriminación económica o técnica, se pierde esta libertad esencial. De acuerdo con la consideración (1) del Reglamento sobre la neutralidad de la red, la legislación ha de ser interpretada a la luz de estos objetivos.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

La discriminación económica (Zero rating) interfiere en mi derecho, en virtud del artículo 3(1), de acceder y en particular de distribuir información libremente. Si un proveedor de Internet discrimina entre proveedores de contenidos, aplicaciones y servicios haciéndolos desigualmente accesibles a través de su servicio de acceso a Internet está constituyendo una injerencia arbitraria en la esencia de mis derechos. Por otra parte, esta práctica restringe mis derechos en virtud de la Carta de los Derechos Fundamentales (artículos 11, 15(2), y 16). Por lo tanto, la discriminación económica no debe permitirse bajo las directrices del BEREC.

Si se autoriza a los proveedores de acceso a Internet a cobrar por el tratamiento preferencial, tienen un incentivo para dejar de invertir en la capacidad de red para el Internet "normal" y reducir sus límites de datos para empujar a sus clientes a utilizar cada vez más los servicios especializados. Este efecto sería perjudicial para las minorías, las personas desfavorecidas y las nuevas empresas que no pueden permitirse pagar por un acceso especial a todas las redes que les permita llegar a sus clientes, así como el desarrollo del ecosistema libre, abierto e innovador de Internet.

La transparencia no puede, según lo propuesto por la Comisión en su proyecto inicial del Reglamento y posteriormente rechazado, ser considerada un antídoto para los comportamientos anti-competitivos por sí sola. La transparencia tiene un alcance limitado en la solución de problemas, sobre todo en este contexto.

Kind regards,  
Oscar Revilla

Name: Nasir A Rahim  
Email: [nrahim99@aol.com](mailto:nrahim99@aol.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

YES!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Sunshine is given to everyone. The internet needs to stay neutral.

Is there a demand for specialised services? Which services should be allowed this special treatment? All services should be treated equally.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Nothing seem to be clear for my ISP

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Nasir A Rahim

Name: Adam Price

Email: [regularadam@gmail.com](mailto:regularadam@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Adam Price

Name: Mark Lansbury  
Email: [gppixelworks@gppixelworks.eu](mailto:gppixelworks@gppixelworks.eu)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Q. Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

A. There is no \*consumer\* demand for restrictions such as 'zero-rating'. It's a back door and twisted method which negates net neutrality.

Q. What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

A. There is NO positive impact by moving away from net neutrality.

Q. Is there a demand for specialised services? Which services should be allowed this special treatment?

A. There is NO \*consumer\* demand for 'specialised' services. The name along is misleading and fraudulent. The only reason these schemes exist is to limit free access and increase corporate profits and domination over individuals.

We in the EU need a 'People Not Profits' approach to everything we do. This is why the EU isn't as popular among individuals as in the past.

Q. Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

A. Absolutely not!

Q. How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

A. There should be NO interference.

Q. What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

A. Honest, factual speed reporting.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mark Lansbury

Name: Tanner Stirrat  
Email: [tstirrat@gmail.com](mailto:tstirrat@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I think that the concept of specialized services shouldn't exist from an infrastructure standpoint. It's up to the companies building on top of that architecture to build around the infrastructure.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can easily think of how it would disadvantage newcomers, especially if the telecoms get cozy with big content providers. I have a harder time thinking of the benefits.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It seems anticompetitive - content and infrastructure are two different things, and using infrastructure to advantage content doesn't make sense to me.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I don't like prioritization.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Depends on the definition of "traffic management." If they're talking about throttling one kind of traffic or another, no. If they're talking about intelligently routing one kind of traffic or another, yes.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I'd love to get more information than just what my connection speed to the ISP's network is. That doesn't tell me anything.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Tanner Stirrat

Name: Ulas

Email: [ulas.albayrak@gmail.com](mailto:ulas.albayrak@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No no extent!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ulas

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Jack Connell  
Email: [jack.a.connell@gmail.com](mailto:jack.a.connell@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Jack Connell

Name: Andrew Pelletier  
Email: [andmpel@gmail.com](mailto:andmpel@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Andrew Pelletier

Name: Larry ulrey  
Email: [larryulrey@yahoo.com](mailto:larryulrey@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is NO demand among the public for zero-rating! Yes, this could limit my rights by making it hard to see what I really want because zero rating would favor only those sites that pay to be favored.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

You're unable to view whatever you want since only those that are favored will get through.

Is there a demand for specialised services? Which services should be allowed this special treatment? No, there is no such demand. No one should be favored over another.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of these.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Larry ulrey

Name: Daniel Majhor  
Email: [danielmajhor@gmail.com](mailto:danielmajhor@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Daniel Majhor

Name: Florian Mutter  
Email: [florianmutter@mukalu.de](mailto:florianmutter@mukalu.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't think so. Allowing that is like closing down already existing road lanes and charging money for people to use these lanes.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. There should be well defined standards which protocols are handled first (e.g. VoIP) and which to handle after them. No further management is needed to give everybody the same rights in the internet.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP should only be concerned to keep its network up to date to allow every paying customer to consume whichever data he or she wants to.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know how the connection to other networks is realized (e.g. what bandwidth is available) and how much my internet provider earns by limiting that access for content providers.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Florian Mutter

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Fabián

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Jérémy Bobbio / Debian, The Tor Project

> Is there a demand for specialised services? Which services should be  
> allowed this special treatment?

I don't know any services I use which would require special treatment.

While there might be a few legitimate use cases, once Internet Service Providers develop the infrastructure to offer special treatment at a large scale they are likely to extend such an infrastructure to various services. Existing content or services providers are likely to start partnering with access providers to offer "special accesses" that would be more profitable. Newcomers will not be able to make these can of deal and will be prevented to develop competitive new Internet services.

The example of Wikipedia Zero is a good example on how zero-rating can at first be seen as a good idea while it turns out wrong. Wikipedia is a collaborative encyclopedia meant to reflect knowledge of the whole humanity. But Wikipedia has a policy of only aggregating properly sourced information. This means that people accessing Wikipedia over a zero-rating offer will be highly limited in how they can actually participate in the encyclopedia. More disturbingly, users of Wikiedia Zero are limited in their ability to verify sources mentioned in the encyclopedia. Incomplete, misleading or fake information are regularly added in Wikipedia. While fixes usually happen fast, one can easily see how this could be dangerous.

Deep packet inspection is a technology first and foremost created for censorship purpose. Even when restricted for traffic management, it can way too easily be abused to deny users from their freedoms of thoughts, expressions, and organizations. The experience already shown that this mostly turns into an arm race between creators of DPI-technologies and censorship circumvention technologies.

The decisions about what type of traffic to prioritize should be left to users and not be taken by the ISPs.

Information from Internet Access Providers about speed, quality of service and any form of traffic management should be available to service users.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

--

Jérémy Bobbio

Name: Georg Auer  
Email: [georg.auer@gmail.com](mailto:georg.auer@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Our rights as end users for freedom of expression are more important than the monetisation of different speeds. If one service gets a fast lane, all the other services will get slowed down. This is by no means an environment that is fertile for a new economy.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Future innovation will be hindered through big monopolies who are able to buy themselves "fast lane" access. The internet will shift into a system where the big players are more likely to close their services, because they will pay for those services to be faster than the competition.

Is there a demand for specialised services? Which services should be allowed this special treatment? The only service I can think of that might have any reason to demand special privileges are emergency services.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know all the time if my ISP can see what I'm doing online, and I'd like to see if my ISP regulates the speed of any service differently.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, the ISP should not be allowed to monitor our traffic at all.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Our ISPs should not be able to interfere with our internet connections.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Georg Auer

Name: Dennis Buchberger  
Email: [dennis.buchi@web.de](mailto:dennis.buchi@web.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for zero-rating for special services. If a user needs some data to be transmitted, he has to pay for it.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. No one should be allowed to analyse my traffic. Only ISPs need to know only one thing: To which device they have to deliver the data.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

All data needs to be threaded the same, independent of its type, origin and destination.

Priorising data for emergencies like the ambulance is ok, as long as this data is separated from all other data and also without economic interests. This prioritised data needs to be clearly defined, with its definition being public.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Dennis Buchberger

Name: Jaige Trudel

Email: [compassionandsanity@gmail.com](mailto:compassionandsanity@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. No one should be allowed to monitor what I wear, or eat, what kind of soap I use or what I check out of the library either.

How much should your ISP be able to interfere with your Internet connection - for example to throttle or prioritise certain types of online traffic (video, P2P, etc)?

As long as no one is being hurt by internet content (as in obscene photos and videos generated through the infliction of inhumane acts) I don't believe any interference is necessary, or fair for that matter. Keep the net neutral.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jaige Trudel

Name: Joseph Kohn MD, Founder, We Are One, Inc. - [www.WeAreOne.cc](http://www.WeAreOne.cc) - WAO

Email: [Joseph@WeAreOne.cc](mailto:Joseph@WeAreOne.cc)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Truth is shared through social media. The internet must become a public utility that it is.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

MainStream Media controls information in biased Orwellian ways.

Is there a demand for specialised services? Which services should be allowed this special treatment? Specialized services are proprietary to individual users, not ISP's. People Before Toxic Profit!

[www.WeAreOne.cc](http://www.WeAreOne.cc)

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference with free speech!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Maximum speeds as technology improves must be passed on to all users. Welcome to the 21st Century, and even the 3rd Millennium!!!

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

Joseph Kohn MD, Founder, We Are One, Inc. - [www.WeAreOne.cc](http://www.WeAreOne.cc) - WAO

Name: Stephanie C. Fox  
Email: [scfjdqueenbee@yahoo.com](mailto:scfjdqueenbee@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes. They would make Internet use Orwellian.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Freedom of access to information and communication.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Stephanie C. Fox

Name: Marín Alejandro Carmona Selva

Email: [mcarmona@gmail.com](mailto:mcarmona@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yup! I feel yes! As an example, my photography site may go slow as a result of such policies...

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

A lot! If someone has to pay more in order for their services to go faster, they may choose not to go for that service...

Is there a demand for specialised services? Which services should be allowed this special treatment?

None that I could think of.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO, NOT AT ALL!!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Nothing, zero, null, nada!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all possible info...

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Marín Alejandro Carmona Selva

Name: Ronald Feicht  
Email: [ronald.feicht@web.de](mailto:ronald.feicht@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Wer kontrolliert und sanktioniert denn, wenn ein Provider anstatt wegen technischer Notwendigkeit aus kommerziellem Interesse heraus Internetdienste drosselt? Freiwillige Selbstverpflichtung funktioniert nicht wenn Milliarden locken!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Mir fallen keine positiven Einflüsse ein, aber sehr wohl dass die Spezialdienste meines Providers konkurrierende Dienste ausbremsen werden, z. B. dass das Filmstreamingangebot der Telekom höher priorisiert wird und dadurch andere Streamingangebote ruckeln und Aussetzer haben werden.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Keine, weil es nicht notwendig ist. Bereits heute werden kritische Anwendungen / Dienste / Datenströme nicht über das Internet übertragen, sondern über separate Leitungen. Beispiel Polizei: Extrapol ist ein eigenes Netzwerk das unabhängig vom Internet existiert.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Kein deep packet inspection, stattdessen nur anhand der IP Header.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es

ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Ronald Feicht

Name: Guilherme Fernandes  
Email: [mail.do.guilherme@gmail.com](mailto:mail.do.guilherme@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It's shady commercial practice. I feel I'm paying too much for my data plan because of zero rating being offered for specific online services I don't use, as though it's supposed to guilt me into using said services.

I suppose in essence it's not that different from a TV advertisement or sponsorship in terms of how it's weighted towards certain brands, but I don't like TV advertising anyway, and I feel my options are being limited.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If the specialized service is not objectively necessary for a certain service and, even if it is required for a service to function properly, there isn't enough capacity to support congestion-free regular internet access at the same time, then it is stifling the internet as a whole.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't really know of much. (Even live video streaming seems to be doing fine on the regular internet.) I think there's little if any demand right now.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Please be as transparent as possible. I want to know if there's any risk of something breaking, I want stress-tests of how well online videogames work on it, I want accurate speed tests, maximum and minimum speeds, and I want all of that to be upheld.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. I don't want strangers invading my privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all, as attempting to prioritize certain kinds of traffic messes with all kinds of traffic.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Guilherme Fernandes

Name: Florian Jacob  
Email: [briefe@florianjacob.de](mailto:briefe@florianjacob.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't see any specific service which should be allowed a special treatment by the ISP. If the ISP provides a SIP phone service and wants to prioritize that so that I can have a stable and clear audio connection, he should be obliged to do the same prioritization for any other SIP provider.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services are a threat to the future of an open internet. I'm a computer science student hoping to found his own startup some day, but I fear that when this day will come, I won't have a chance to compete as users would have to pay extra to use my new service, which will massively hinder future innovation in the internet.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

As an end user, I should have the right to use any service of my choice, which is essential for the free market to work and for competition between services. With zero-rating, I get a massive incentive to use that service and not its competitors, especially if it's a data intensive service like music or video streaming, because my mobile data rate is so limited. But it also works the other way around: If I'm already a user of a specific music streaming service, I essentially have only one sensible choice of which mobile carrier I get a contract with: The one which has an exclusive deal with that music streaming service for zero-rating it.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

An ISP should be allowed to prioritise or throttle general kinds of services but not single service providers. If an ISP decides to prioritize VoIP, they have to prioritize all VoIP traffic, regardless whether it's Skype, Google Hangouts, or the SIP provider of my choice, and not only their own SIP service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

It should be illegal for internet providers to monitor my traffic with deep packet inspection, as it violates my basic right to privacy.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I know that my current ISP does some quality of service and traffic management, but none of that information was from the ISP itself, it was all external information from other sources. An ISP should be bound to tell me that by themselves, so that I have all and current information on what measures to expect in beforehand when choosing this ISP.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Florian Jacob

Name: Eric Howard

Email: [spaggas@hotmail.com](mailto:spaggas@hotmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Corporations are manufacturing the demand for profit

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There's only positives to keeping the net open and neutral.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They could do what ever they like given the chance.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Eric Howard

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Doris Aschenbrenner SPD Bayern

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Tristan  
Email: [supersluether@gmail.com](mailto:supersluether@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While specialized services could provide important information more quickly, it would also mean that similar services will be left out. Any new Web service wouldn't be able to stand up against existing services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

An ISP should provide an Internet connection as a service, and that's it. They have no right looking through my private Internet traffic.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know if my ISP is "managing" my traffic.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tristan

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Desirée Köberl

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Joseph S. Spiezio / Retired U.S. citizen

Email: [joespiezio@att.net](mailto:joespiezio@att.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating is a bad idea. Zero rating would allow ISP's to interfere with the way the online experience is used, and would be a way to dismantle net neutrality. There is no demand by internet end users for zero rating.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There are no positive impacts. Net neutrality is the best way for the future of the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?

There is no demand for specialized services for internet end users. No services should be allowed this special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP's should not be allowed to interfere with my internet connection in any way.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Joseph S. Spiezio / Retired U.S. citizen

Name: Niels Schotten  
Email: [lampje@nshome.nl](mailto:lampje@nshome.nl)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? A point could be made for SS for VOIP. It is just that shush an SS should not discriminate or dictate the type of program the client needs to use. But even without clients opting to pay a premium for shush a service, the other clients should not be getting a hampered VOIP service. So NO. No SS. the ISP's should do their jobs and provide quality service.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services, as explained here sound lovely and all. BUT there is a danger. It could be that ISP's will use it to sell highspeed/high capacity data bundles at a premium and selling slow, data limited bundles at a low (but still pricey) price point. This would create a rift between the poorer and the richer folks in the way they can use the internet. I think i'm against.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I am, provisionally, fine with zero rating. The provision being that all similar services are provided zero rating at no cost to them or the client. So to provide netflix with zero rating so should youtube, spotify, hbo and also minor players & start ups that also provide streaming audio/video. Or to zero rate the ISP's cloud storage they should zero rate all could services like drobox, google drive, strato Hi Drive etc. It's all or none, at NO cost to the service provider and the consumer.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only when a user has a mix of data types and it is reaching the maximum transfer rate should they start to manage speeds, prioritizing packets like voip / streaming audio/video / realtime online gaming over mail, downloads, uploads etc. For the rest of the time they should do their best to provide top speeds for what their user is using his/hers connection for.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I suppose a page within your client info area at your ISP's site that provides a data log on what services you used and if and how they managed the speeds to provide you with optimal performance. And if, perceived, speed issues came from lacking data through put from/to a service provider (i.e. was Youtube unable to keep up with all the viewers?)

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP's should, at most, be able to detect what type of service a packet is for and prioritize realtime packets (i.e. voip and online gaming data) over non time critical data like webpages, email, downloads etc.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Niels Schotten

Name: Angela Flowers

Email: [Hadesangel@hotmail.co.uk](mailto:Hadesangel@hotmail.co.uk)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Free internet traffic

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Angela Flowers

Name: Charles Berger  
Email: [charlieberger711@gmail.com](mailto:charlieberger711@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Does "demand" refer to providers' ability to market higher speeds to customers with deeper pockets? I am certain that higher speeds can be sold to the highest bidder, but that ability does not make it right to marginalize or censor other content providers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The impact is the same as any place where profit is the ONLY driving factor: the effect on the majority is ignored, and brilliant innovations by "small players" are suppressed.

Is there a demand for specialised services? Which services should be allowed this special treatment? I know of none.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed, up & down. Specific traffic management policies implemented.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP must monitor destination address for routing, but CONTENT is PRIVATE. An ISP's interests and motives cannot all be known. Privacy and neutrality must be enforced.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not an easy question, because video, though requiring much bandwidth, carries much important content. I understand the need to balance load in some fashion, but I do not accept sorting packets into "lanes" based on any other attributes of content. The internet has become a de facto utility just as the telephone did.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Charles Berger

Name: Stefan Näslund  
Email: [SnOffaN@gmail.com](mailto:SnOffaN@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
not relevant for me

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
limitations

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
why?

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Hopefully speed should be enough, assuming they aren't throttling

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Stefan Näslund

Name: Reece Gullett/self

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,

Reece Gullett/self

Name: Andrew Lenz  
Email: [lenz8nick@gmail.com](mailto:lenz8nick@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
It creates a class of fast lane users.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
INNOVATION!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Andrew Lenz

Name: Heinz Burtscher  
Email: [heinz@burtscher.net](mailto:heinz@burtscher.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No service should get a special treatment!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
The ISP should not trottle or prioritize any traffic!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I should get the information I need in order to make reasonable assumptions about the quality of the service available.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Heinz Burtscher

Name: Graham George  
Email: [GrhmGeorge@aol.com](mailto:GrhmGeorge@aol.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I see no need for these at all.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

These would only have a negative impact. I can foresee no positives at all.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive as much information as possible about my internet connection and its traffic management. There should be complete transparency from my ISP.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Graham George

Name: Graham George  
Email: [GrhmGeorge@aol.com](mailto:GrhmGeorge@aol.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I see no need for these at all.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

These would only have a negative impact. I can foresee no positives at all.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive as much information as possible about my internet connection and its traffic management. There should be complete transparency from my ISP.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Graham George

Name: stephan pohl  
Email: [Stephanex@gmx.net](mailto:Stephanex@gmx.net)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
stephan pohl

Name: Tomas Kmieliauskas  
Email: [t.kmieliauskas@gmail.com](mailto:t.kmieliauskas@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only to the extent of ensuring that every customer gets equal connectivity

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Tomas Kmieliauskas

Name: Shawn Orgel-Olson  
Email: [sorgelolson@gmail.com](mailto:sorgelolson@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It will discourage investment in Europe, if you want more tech startups, protect net neutrality.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure, sounds like a bad thing

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know that \*no management\* is taking place. No logs kept. Keep it transparent and neutral.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, absolutely not.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Shawn Orgel-Olson

Name: Michael Klaric  
Email: [mklaric@fonality.com](mailto:mklaric@fonality.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Without a free "market", the internet will not serve the interests of all people and over time will become a tool of the powerful, wealthy and enfranchised. This cannot be permitted.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Emergency and vital government services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not be able to do that at all, not one bit!!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of that sounds good.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Michael Klaric

Name: Ronnie Rouse  
Email: [rouse803@att.net](mailto:rouse803@att.net)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand that I am aware of for "commercial practices" that restrict the functionality of the Internet in order to increase the profits of a rich few. For example, I would prefer to buy the ecologically friendly products of the Shamshadin region, one of the poorest in Armenia, rather than the chemical-laden over-processed "food" products of major agribusinesses: so I have no interest in being blocked by commercial practices that favor rich corporations over the people of Shamshadin (or anywhere else) simply because the rich corporations can pay to have their way but the poor cannot.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It should be obvious that any "specialised service" that restricts access to the Internet can only have a negative effect on the openness of the Internet. It should also be obvious that any censorship (restriction of an open Internet) can only have a negative effect on innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? There is no demand for specialised services designed to increase the wealth of the rich, at least from me. No service should be allowed "special" treatment based on the ability to pay.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISPs should not normally be allowed to monitor traffic for the purpose of traffic management.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not normally be able to interfere with Internet connections.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I should like to receive as much information as possible about my Internet connection, such as speed and quality of service. Unfortunately, I don't believe either of the ISPs I have used has ever tried to make such information easily available.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ronnie Rouse

Name: Mr K J Brown  
Email: [kjbtazz@gmail.com](mailto:kjbtazz@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Mr K J Brown

Name: Rebecca Davies

Email: [pendragon.alaska@gmail.com](mailto:pendragon.alaska@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Again, why should anyone be treated differently and controlled by where they go on the net or what they do? How would the administrators of such a company like to be followed home and monitored their actions and prevented from driving above 40 mph just because they were going someplace not approved by the ruling authority? How would they feel if they had to expose themselves to everywhere they went or have their calls taped for replay later? It is not that anyone is hiding anything - it is the right not to be oppressed or restrained because one is constantly being judged by another. Freedom applies to every facet in life and that includes the right to choose what we want to do, see, say or go - just as in the physical world, we are not restrained as long as we are socially correct, so should we be free to go about our lives just as freely online.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Restraint and control in the hands of one over others smacks of empire ruling and not a free society. Think about it. Creatively dies.

Is there a demand for specialised services? Which services should be allowed this special treatment? The current regulations should be enforced still and if anything, all new services with applications to become a specialized service should be scrutinized to check for correct guidelines before being issued new licenses. There is no reason we cannot coexist together done properly.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Privacy and fairness should be the cornerstones for guiding decisions when pertaining to all criteria.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There should be no allowance of independent thought or control by any organization without the approval of those that it gives service to - by the very definition of the word "service", denotes "doing an approved or desired action for a positive end" - it is not pleasing to any customer to be treated with unfair practices.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Transparency and honesty and clarity should be followed to provide on the website of any company that offers internet connection so that at any time, any customer can go up and view all the facts. again, it is about customer service and honest profit can be made by the numbers of satisfied customers, not profit that hinges on cutting corners, costs and cutting speed away from the customers that pay for the company service.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Rebecca Davies

Name: Kevin Glazenburg  
Email: [kevin@glazenburg.com](mailto:kevin@glazenburg.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I believe zero-rating is good for fully open and non-profit resources such as Wikipedia but allowing zero-rating for things such as Netflix is damaging to end-users because they will cause harmful monopolies and will make it harder to access normal websites.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It will limit open access to information, causing serious problems for the world.

Is there a demand for specialised services? Which services should be allowed this special treatment? Yes, access to open and free information such as Wikipedia is needed especially in 3rd world countries.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Simpler systems are more than adequate.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I believe the only reason throttling/prioritizing should be used is when a certain user is using far more traffic than others.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Kevin Glazenburg

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

No, no, no to infinity. The US government gave internet technology to these present providers. The providers agreed to providing internet service to certain designated areas for all its customers. They have not provided this and the government has not enforced it. The internet is there to provide service to its monopolized area customers plus a small profit just like public telephone service to the population. The internet and/or telephone industry was never meant to be commercialized. It is supposed to be for the common good of the country's citizens, not to make billions of dollars for a commercial entity.

My name/organisation:

Joyce & Jerry Hansen

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

No "specialized services" should be offered ever. All ISP customers have the same service for the same price not "specialized service" for those who can afford the extra money it will cost them. "Specialized services" will limit access, competition, innovation and increases the power of the ISP monopolies.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

There can be NO "specialized services". If there is demand for "specialized services" they should not be considered "specialized services" but be provided to all customers of the monopoly ISP to all its customers for the same price. Without this, we would not have a free and open (not optimized) internet and lack the freedom we now have to make our own choices. "Specialized services" would bring the demise of our free /open internet, which is what happened to our free television that we used to have. Television is almost dead because of its monopolistic practices.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is NO Positive impact for ISP customers. Only a limitation of services and choice. The positive aspects of "Positive impacts" is more money, power, profits and control of customers and content for the ISP's, which would eventually lead to it's demise, just like television. Someone in the future will invent something better than the internet that is not monopolistic because the people. customers want freedom of choice and monopolies do not allow that. That is why it is so important to keep our internet open and free with no monopolies.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

Commercial practices already do limit my rights as an end user. ISP's are rich, strong, powerful

monopolies that try and do make their own rules, to their benefit, not their customers. No ISP customer can compete or use their rights even now. But, the purpose of the internet is/was to enable democracy and the ability to compete with one another openly. No ISP customer can compete with an ISP, but they should be able to compete.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No government, intelligence agency (including police, FBI, NSA, etc.) or ISP should ever be allowed to read, monitor any ISP customer content or data/transmissions (for any reason). If an ISP, government agency, contractor, etc. wants access, they should be required to get a warrant from a US court (judge not fisa) after they present specific evidence such warrant is necessary and the warrant should specify the information, evidence that they specifically will be looking for. No open warrants.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

There should be NO interference allowed. All internet connections and service should be equal for all. There should never be a prioritization or de-prioritization, period. ISP's should provide excellent service to all and every customer.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Yes, it is both limiting and discriminatory for everyone and should never be allowed!

What would you consider to be "reasonable" traffic management measures? How can "unreasonable" traffic management measures affect you as a users? Please, provide examples.

ISP providers should provide their customers with adequate infrastructure and technical expertise so that traffic management would never be necessary. This is what ISP profit is for, to improve infrastructure and services, not to just pocket all profits.

What information would you need to make an informed decision about your Internet connection?

For example: traffic management; commercial practices or technical conditions?

Traffic management, commercial practices or technical conditions are parameters and information that should be provided to customers by the ISP, as long as they don't violate any laws or net neutrality. ISP customers and their providers should work together using best practices.

What information would you like to receive about the speed of your Internet connection?

Anything about speed (upload, download, etc.) that might help me utilize speed and maximize it.

250kb of speed is what we are stuck with, with our ISP monopoly. I've heard some have as much as 2gb for speed. Monopolies don't provide that here.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

Yes, all parameters should be defined in the contract. It should be written in easy to read and understand language and have a way to contact a "knowledgeable" customer service representative that fluently speaks your native language.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Elliot Shamis  
Email: [dcapa333@gmail.com](mailto:dcapa333@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
absolutely not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Elliot Shamis

Name: julia

Email: [julia.nitschke@gmx.net](mailto:julia.nitschke@gmx.net)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
musik und video streaming

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
diskriminierend für de verbraucher

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
auf gar keinenfall.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
nicht weit

mit freundlichen Grüßen,  
julia

Name: John Plou  
Email: [johnplou@gmail.com](mailto:johnplou@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Sure, but only for traffic management.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
John Plou

Name: Stephan Marx  
Email: [smarx@web.de](mailto:smarx@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Es gibt keinen Bedarf aus meiner Sicht. Auch wenn Daten nicht gezählt werden, erzeugen sie Kosten im Sinne des Gesamtvolumens. Diese Kosten müssen umgelegt werden, ohne das der Endverbraucher darauf Einfluss hat.

Für mich eine deutliche Beschränkung im Bereich der Kostentransparenz.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Ich sollte selber die Prioritäten setzen dürfen, nicht der Provider.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Verbrauchs- und Bandbreiten Informationen (bezahlte, angeforderte und genutzte (erhaltene Bandbreite).

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen.

Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Stephan Marx

Name: Gerhard Weber  
Email: [gweber@gmx.info](mailto:gweber@gmx.info)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, ich wünsche keine Überwachung meines Datenverkehrs.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Quality-of-Service oder Traffic-Management)

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen,

es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Gerhard Weber

Name: Frederick Glazier / myself

Email: [fredglazier@gmail.com](mailto:fredglazier@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

of course it could, it would allow large corporations to limit other organizations from providing services and or information

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

not allowing free, open, equal access limits competition

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Frederick Glazier / myself

Name: Carol Hlrth  
Email: [chirth@mac.com](mailto:chirth@mac.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Carol Hlrth

Name: Kathryn Rose  
Email: [kathryn.rose13@gmail.com](mailto:kathryn.rose13@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating and commercially sponsoring types of traffic unfairly advantages large corporations, stifling competition and creativity as well as punishing the user/customer.

Is there a demand for specialised services? Which services should be allowed this special treatment? In some VERY LIMITED circumstances medical device data could be allowed to have specialised services, however it most definitely should not undermine other traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should never be able to throttle or prioritise private individuals' internet connections.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Kathryn Rose

Name: Andre Rückbeil  
Email: [savetheinternet@0x00c.de](mailto:savetheinternet@0x00c.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

- Verzerrung des Wettbewerbs
- Einschränkung der Auswahlmöglichkeiten
- Freier, ungehinderte Zugang wird eingeschränkt
- Kommerzielle Dienste werden vor freien Diensten bevorzugt

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Ich sehe leider keine positiven Einflüssen. Ein demokratisches, offenes Internet kennt keine "Spezial"-Dienste. Das Internet ist ein Abbild der realen Welt. Stellen Sie sich einmal vor, wir hätten "Spezial"-Dienste in der Alltags-Wirtschaft! Große Firmen würden bevorzugt und die Demokratie und Wahlfreiheit eingeschränkt.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?

Es gibt keinen Bedarf für Spezialdienste. Ein Anschluss hat eine Kapazität/Geschwindigkeit. Wenn jedes Paket gleich behandelt wird, gibt es keinen Bedarf vom Internetanbieter Dienste "speziell" zu benachteiligen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Der Internet-Provider soll auf gar keinen Fall den Inhalt meines Datenverkehrs mitlesen können! So, wie die Post/DHL/Transportunternehmen nicht mitlesen dürfen, wem ich etwas sende. Das Recht auf informelle Selbstbestimmung wird hier ganz klar verletzt!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Der Internetprovider sollte VERPFLICHTET werden, jedes Datenpaket gleich zu behandeln. Ebenso wie PKWs auf Straßen alle gleich behandelt werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das

Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Andre Rückbeil

Name: Michael Resonnek  
Email: [michael@resonnek.de](mailto:michael@resonnek.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The ISP had to transport the data, the content is private. The knowledge of the content could be used to discriminate the user or the content itself.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Resonnek

Name: G. W. Cheney  
Email: [gwcheney@ymail.com](mailto:gwcheney@ymail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Would hinder future innovation and openness of the internet

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
G. W. Cheney

Name: Dr. Jan Monzer  
Email: [jan.monzer@t-online.de](mailto:jan.monzer@t-online.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Hierfür gibt es keinen Bedarf. Ich zahle für eine Kommunikationsdienstleistung, und nicht für eine Beeinflussung oder Beschränkung derselben durch Provider. Die Priorisierung einzelner Netzdienste durch kommerzielle Praktiken geht zwangsläufig zu Lasten anderer Netzdienste und Nutzer, denn die Bandbreite wird ja nicht größer. Daran kann ich kein Interesse haben.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Auch das Internet hat eine endliche Bandbreite - zumindest was den Zugriff durch die Nutzer angeht. Eine Priorisierung einzelner Dienste/Angebote im Datenverkehr hat zwangsläufig eine Beschränkung oder Benachteiligung anderer Angebote zur Folge und behindert oder gefährdet so die Offenheit und Innovation im Netz.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? NEIN. Die Aufgabe eines Providers ist die Bereitstellung der Dienstleistung Internetzugang, die Kommunikationsinhalte und mein Nutzungsverhalten fallen unter den Schutz meiner Privatsphäre.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Ich wünsche keine Beeinflussung meines Datenverkehrs durch meinen Provider, ich betrachte das Drosseln egal welcher Dienste grundsätzlich als einen unstatthaften Eingriff in meine Rechte als Internetnutzer.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für

Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Dr. Jan Monzer

Name: Jamie Lafferty  
Email: [Jamielafferty99@gmail.com](mailto:Jamielafferty99@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand. This would impact free speech as many smaller websites would be either insanely throttled or count massively towards the monthly usage (as they rely on ads on their sites in order to remain functional), resulting in less visits

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive is the fact that if you visited websites that allowed unlimited access, you effectively have unlimited internet (download and bandwidth speaking). However, as the WHOLE OF THE EU (and majority of the world) completely relies on internet now, why is a download limit still a thing?!

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No - there has never been a demand for such services. There is a demand for faster internet across the board. Fix the internet speed issue, then services such as this will continue to never be needed.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISP's in my opinion are very shady. Information (unless you are completely in the know) is very confusing; I think deliberately. Confuse people, they will then "to be safe" purchase a higher package so they "don't run out". Why? As I said, if you know the ins and outs of this information you can read through the bullsh\*t and see they are deliberately trying to shaft you at every moment. Slowing down at peak times? Why? Electricity doesn't "slow down" because more people are using it. I feel primarily, the main issue is majority of the internet/phone infrastructure is 1970/1980 technology which "falls over" a lot as it cannot process the amount demanded on a daily basis. BT (in the UK) are the main culprits for this as they are simply not installing their openreach service fast enough. It seems like a deliberate plot to p\*ss off as many people as possible so that plans like this service seem attractive.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, this would violate any privacy I still have (which is arguably not very much currently!)

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all - enable everyone to have access to fibre internet then there will be absolutely no need to prioritise internet traffic

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Jamie Lafferty

Name: Nikolaus Leopold  
Email: [nikolaus.leopold@gmail.com](mailto:nikolaus.leopold@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Unequal internet access and discrimination by type of traffic would only strengthen monopolies and suppress innovation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Monitoring traffic content is a violation of the fundamental human right to privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should provide equal access for all and not be able to discriminate by type of traffic.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Nikolaus Leopold

Robert Ritter

The Internet should be fair and open, and there should be no throttling or censorship or blocking anywhere on the net.

Name: Paul Petschek/University of Southern California

Email: [ppetschek@gmail.com](mailto:ppetschek@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I believe in the democratization of the Internet. Net Neutrality all the way.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Forget about innovation if the Internet becomes closed. Forget about democracy.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The Internet should be used as it was originally intended, as a free and open communication system for the world. We already have enough commercial domination in all areas of life.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They shouldn't have that right.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much as possible.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No,

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Paul Petschek/University of Southern California

Name: Jeanne Mackay  
Email: [jmackay1956@gmail.com](mailto:jmackay1956@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

We all lose whenever information is not available to all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jeanne Mackay

Name: Jeremy Aversa  
Email: [jeremyaversa@gmail.com](mailto:jeremyaversa@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, nobody should be collecting and profiting from user data.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

All data should be treated equal and there should not be any reason to throttle anyone. We need to building out our networks to compete globally instead of giving access to the highest bidder and falling behind the rest of the world

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jeremy Aversa

Name: Paul R Maiden Mueller

Email: [derspike@yahoo.com](mailto:derspike@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It unfairly penalizes small business owners who cannot afford to buy 'fast lane' services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would certainly like more information than I am getting.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Paul R Maiden Mueller

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Peter-Jan Peters

I do not think that there is any service that can on one hand be served over the internet as specialised service and on the other hand could not be served in a best effort internet, except when the best effort internet is intentionally made slow to force that situation.

Zero-rating is a dangerous thing. If one service is zero-rated it is so much harder to start a competing service. But this competition is fundamental to a healthy economy.

ISPs should not be allowed to monitor the content of internet traffic.  
It is not necessary for their service, which is to provide internet access.

Internet access is a situation where there is a strong imbalance between participant. There is a huge number of customers with very little power on one side and there is a tiny number of internet providers on the other side. The providers sell a service that is extremely important to the everyday life of the customers. Therefore I think that it should be mandatory for the ISPs to make it completely transparent what they do with the packets of their customers.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that

cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Matthew O'Donoghue  
Email: [matthew\\_odonoghue@yahoo.co.uk](mailto:matthew_odonoghue@yahoo.co.uk)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

A second, third and beyond class of Internet users denied useful access for the foreseeable future.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolute not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Matthew O'Donoghue

Name: schmidt  
Email: consuellak@gmail  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
schmidt

Name: Dave Buchwald  
Email: [credo@domeslice.com](mailto:credo@domeslice.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no. you guys are better than the Americans

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all. it should be a pipe.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Dave Buchwald

Name: Manufacture NY  
Email: [cbeauvois@gmail.com](mailto:cbeauvois@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Chris Beauvois  
Manufacture NY

Name: Louise Axelson; self  
Email: [laxelson162@gmail.com](mailto:laxelson162@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No zero rating! I want to be free to use all Internet services, without someone manipulating my choices. i don't want my use of the Internet to become complicated by being presented with hazy and misleading "facts."

Is there a demand for specialised services? Which services should be allowed this special treatment? I am perfectly happy with what I currently have access to. Again, there's no need to complicate and interfere with my free use of the Internet. I don't want to have my online experience disrupted by redundant and unnecessary controls.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! I want a free internet, not one that routinely compromises my privacy for their own very questionable reasons.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Clearly stated information--not information written in language that is difficult for the average person to understand. People differ in the information that they seek about their service. I believe all the basic information that relatively computer savvy users need in order to get the optimal use of the Internet should be available.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Louise Axelson; self

Name: Ron Christopher  
Email: [rc33losangeles@aol.com](mailto:rc33losangeles@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ron Christopher

Name: Kim Røder-Rasmussen  
Email: [Dragonnecklace@hotmail.com](mailto:Dragonnecklace@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Anything that purposely Makes something harder or easier to access than other things is discrimination and is not allowed. Nor should it Be.

Is there a demand for specialised services? Which services should be allowed this special treatment? Noone should.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not Be able to interfere with anything, without my documented consent

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to have easy Access to all of it.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Kim Røder-Rasmussen

Name: jean-Paul Herman  
Email: [jean-paul@herman-bouty.eu](mailto:jean-paul@herman-bouty.eu)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
jean-Paul Herman

Name: Reinhard Zölle  
Email: [R.Zoelle@t-online.de](mailto:R.Zoelle@t-online.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Wenn ein kommerzieller Anbieter für die Verbreitung seiner Produkte das Internet nutzt, sollte er für diesen Marktzugang zahlen, hier wäre ein geschwindigkeitsabhängiger Preis auch angemessen. Meine private Internetnutzung sollte aber nur durch die technischen Möglichkeiten eingeschränkt werden und evtl. Infrastrukturkosten in Regionen, deren Versorgung mit hohem Datendurchsatz für die Provider nicht wirtschaftlich durchführbar sind, sollten durch Steuergelder finanziert werden. so das alle Bewohner eines Staates die gleichen Möglichkeiten zum Netzzugang haben.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Ich habe kein Problem mit der Möglichkeit für Provider für kommerzielle Dienste einen geschwindigkeitsabhängigen Preis zu verlangen, wer weniger Zahlen will muss dann in Kauf nehmen, das beim potentiellen Kunden der Seitenaufbau langsamer vonstatten geht oder muss auf die Nutzung von datenintensiven Contents verzichten, für alle anderen Kunden des Providers muss der Zugang immer den technischen Möglichkeiten entsprechen.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Für lebenserhaltende Massnahmen könnte man eine Mindestbandbreite vorsehen, deren Wirksamkeit dann zu einer Drosselung des sonstigen Verkehrs führen dürfte.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nur wenn es technischen nicht anders lösbar ist

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Bei kommerziellem Streaming sollten die Kosten der Datenübertragung durch den Content-Lieferanten bezahlt werden, der dies über seinen Preis an den Kunden weitergeben kann, alle Privatstreams sollten keinen Zusatzkosten bzw. Datendrosselung unterliegen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Die Informationen sollten vor allen Dingen vergleichbar sein, so dass die Leistungen der Provider auch direkt verglichen werden können; zudem sollten Soll-Ist-Vergleiche die Diskrepanz zwischen versprochenen und realisierten Leistungen zeigen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität

verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Reinhard Zölle

Name: Jared Goor  
Email: [jbgoor@gmail.com](mailto:jbgoor@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Such practices only encourage corrupt behavior. Level ground is the only fair approach.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There has been example after example of how information sharing on the internet has made real positive change happen. It transcends governments and businesses alike. A place where freedom for the world is preserved is key. This isn't a lofty notion, it's cold hard fact. Something has to be there to facilitate checks and balances when someone steps over the line. It's healthy for society.

Is there a demand for specialised services? Which services should be allowed this special treatment? I can only imagine that emergency services or those providing life saving or incredibly time critical functions could deserve such treatment. It shouldn't be about money. If a business can't buy a lane on the highway for their employees to exclusively use, or be able to increase the speed limit for just their people, they shouldn't get such treatment on the internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Use of traffic monitoring should be very specific and limited. It has the potential for a significant amount of negative repercussions for internet users and should be treated with that level of care.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. They are selling me bandwidth and volume (max gigs per month etc.), how I use it is my business alone.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would appreciate ability to easily access such information, though I wouldn't require to have it delivered to me in any specific format.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jared Goor

Name: ken canty  
Email: [attycanty@aol.com](mailto:attycanty@aol.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

negative: detrimental to freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

no

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

speed and quality

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

shouldn't

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
ken canty

Name: Simon Obrovsky  
Email: [aaaa06122@gmail.com](mailto:aaaa06122@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! This is my privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The smallest amount possible to ensure a widely neutral web.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

what is relevant for me to see how my provider handles my traffic

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Simon Obrovsky

Name: Roman Amblank  
Email: [roman.amblank@gmail.com](mailto:roman.amblank@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Dieser Bedarf besteht nur bei zeitkritischen Diensten. Der Kunde soll bestimmen können ob und welche Dienste das beinhaltet.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Die Möglichkeit sich für Spezialdienste bezahlen zu lassen, motiviert Provider die Geschwindigkeit für andere Dienste zu drosseln.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken?

Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Der Kunde muss selbst bestimmen können ob und in welchem Ausmaß er will dass zeitkritische Dienste bevorzugt und andere benachteiligt werden. In keinem Fall soll der Provider die dafür erhobenen Daten speichern oder mehr Daten als nötigen erheben dürfen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, dies wäre ein Eingriff in meine Privatsphäre

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

So viel Informationen wie dem Provider zu Verfügung stehen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen

wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Roman Amblank

Name: Jack Bates  
Email: [jack@nottheoilrig.com](mailto:jack@nottheoilrig.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If Facebook can afford to strike deals with some ISPs to pay for my access to their content it interferes with my ability to select a service provider based only on the quality of their service. Now I must also consider their preferential agreements. Content providers should be forced to compete on the quality of their content, not by their capacity to buy access to consumers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services improve access to some content and businesses at the expense of others. Overall this is bad because it reduces competition in the marketplace. It gives existing, entrenched content and businesses an undesirable advantage over new innovations.

Is there a demand for specialised services? Which services should be allowed this special treatment? Unfortunately the demand is from the large content providers and ISPs that stand to profit, not from consumers who already control which services receive special treatment: the ones that they choose to access, based on their competitiveness in a free marketplace.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I know best which traffic is important to me, not a patronizing ISP.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. ISPs claim they want to improve customer experience, but they consistently service their own interests above those of their customers.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Upstream and downstream bandwidth, any rules like bursting, peering agreements that bury content close to the edge of my ISP's network, whether traffic prioritization is happening.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jack Bates

Name: Susan Castelli-Hill  
Email: [joyoussafefree@yahoo.com](mailto:joyoussafefree@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Susan Castelli-Hill

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Manuel Riedl

Freelance VFX Artist

Is there a demand for specialised services? Which services should be allowed this special treatment?

i can't think of any

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can imagine that people in remote locations might have better access to public/health information, or online banking if those packets were to be prioritized. However, the widely known dangers here far outweigh a few slight potential advantages.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

i don't believe that there is demand from the consumer side. it will also disadvantage new enterprises who can't afford to enter a market already rigged against newcomers. Existing companies would obviously work with ISPs to create disincentives for customers to use a competitor's service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

They should absolutely not be allowed to monitor their customers traffic

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Personally, I don't see how it should at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

There should be standards in place for what ISPs have to tell the customer, and how it must be phrased in order to be as easily understandable as possible. Additional, in-depth information must be easily accessible by request

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Manuel Riedl

Name: Siegfried Boderke  
Email: [s.boderke@arcor.de](mailto:s.boderke@arcor.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,  
Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Quality-of-Service

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein. Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Siegfried Boderke

Name: Sam Sheldon  
Email: [soph1a2001@yahoo.com](mailto:soph1a2001@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sam Sheldon

Name: Samuel Hum  
Email: [samuel.hum.hh@gmail.com](mailto:samuel.hum.hh@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Samuel Hum

Name: Ron Marshall  
Email: [marshall.ron@tx.rr.com](mailto:marshall.ron@tx.rr.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for zero rating. Manipulation of traffic is merely a way to censor the internet and rip off customers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The ISP should merely be a data pipe with no control over content. The customer should have total control over content.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No services should be allowed special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP should be forbidden to interfere with my internet connection.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive speed, quality of service, and how my traffic is managed.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ron Marshall

Name: Luke  
Email:  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The internet is and should always be free and open to everyone, not just big compaines

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Everything

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Luke

Name: james allen  
Email: [jamesallen92@gmail.com](mailto:jamesallen92@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, it actually limits search options in the long run by giving me what the algorithm thinks I want rather than let me find it myself.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Only if it ensures better connection in some way

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
james allen

Name: Denis Kinze  
Email: [denis.kinze@web.de](mailto:denis.kinze@web.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Denis Kinze

Name: Travis Tabuena

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No demand for it. Could limit

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Travis Tabuena

Name: Joseph  
Email: [j.omegazero@gmail.com](mailto:j.omegazero@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I don't personally agree with that practice as it interferes with net neutrality.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

As little as possible

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Joseph

Name: Victoria Schmutzhart  
Email: [schmutzhart.victoria@gmx.at](mailto:schmutzhart.victoria@gmx.at)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Victoria Schmutzhart

Name: Corentin Pane  
Email: [corentin.pane@gmail.com](mailto:corentin.pane@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not, this would be a huge breach of privacy. ISP should just fill in the pipes, not monitor the content...

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should only be the warrant of a fair and equal access to online resources : bandwidth limitations have to be applied to everyone; or nobody.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Corentin Pane

Name: Christian Rolfes  
Email: [rolfes.chris@gmail.com](mailto:rolfes.chris@gmail.com)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein, es gibt keinen Bedarf. Ein Provider könnte allerdings werbegestützte Angebote (z.B. Nachrichtenportale), die unter seiner Kontrolle stehen, mittels Zero-Rating bevorteilen und damit einerseits den Wettbewerb schwächen und andererseits seine Nutzer manipulieren.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
Grundsätzlich reduzieren diese Spezialdienste die Offenheit und bremsen die Innovation

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein, kein Bedarf

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein, das verletzt meine Privatsphäre und ist ein Einfallstor für weitergehende Überwachung.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den

Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Christian Rolfes

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Henrik Hüttemann

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating for every or none service would be right. Everything else would be unfair competition.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

There should be no interference at all. If the bandwidth is not enough, the ISP has to provide more.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much as the ISP has, so I can decide whether it is worth the money or not.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Jean-Sébastien Renaud

Email: [js@renaud.xyz](mailto:js@renaud.xyz)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I do not want any "commercial practice" related to zero-rating. It would be dangerous for net neutrality.

For example I had a zero-rating applied to one particular search engine, information source (press, blog platform, ...) or online marketplace I would, as a end-user, be more inclined to use those rather than others. This would reduce the number of sources from where I forge my own opinions and convictions, this would reduce my privacy and make me more traceable online. Finally this would reduce economic competition because the marketplaces not under the zero-rating would be less attractive, thus reducing my strength, as a customer, to chose between all marketplaces.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized would restrict the future innovation and openness of the Internet because, to be viable, innovation would have to come from entities already being a specialised service because all the other sources of innovation would be restricted.

With specialised services the Internet is no longer open it is restricted to the specialised services: for example, if I want to chose my email provider I would be forced to chose one who is a specialised service because it would not be practical to use instead.

Is there a demand for specialised services? Which services should be allowed this special treatment? None, I want to be able to chose where I go on the Internet without wondering if it will be slow because it is not a specialised service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, they can't monitor my traffic, they are an ISP they must remain neutral. Otherwise it would lead to conflicts of interests.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not unless under very specific contracts that I specifically chose because it fits my needs.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

My maximum AND minimum guaranteed download and upload speed. What information is logged when I'm on the Internet and for how long. How is traffic managed. What is my minimum guaranteed quality of service.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jean-Sébastien Renaud

Name: Scott Evans  
Email: [labdad95@yahoo.com](mailto:labdad95@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISPs should not be allowed to interfere with internet connections.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Scott Evans

Name: Wendell F Perks Jr  
Email: [namloswp@gmail.com](mailto:namloswp@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

NO. YES, COMMERCIAL PRACTICES MAY VERY WELL LIMIT MY RIGHTS AS A CONSUMER.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

SISPECIALIZED SERVICES WITH PRICE DISCRIMINATION WOULD VIOLATE THE RIGHTS OF ALL USERS AND HAVE A DEVASTATING EFFECT ON INNOVATION AND OPENNESS.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
PROBABLY. I CAN THINK OF NO CONSUMER SERVICES WHICH SHOULD BE ALLOWED SPECIAL TREATMENT.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

HOW MY TRAFFIC IS MANAGED.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Wendell F Perks Jr

Name: Lois Jordan  
Email: [lmjor@aol.com](mailto:lmjor@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Lois Jordan

Name: Edward Haggard  
Email: [nedinwriting1@att.net](mailto:nedinwriting1@att.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Edward Haggard

Name: Cliff Mitchell  
Email: [cliffmitchell@e-sil.com](mailto:cliffmitchell@e-sil.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, such practices would limit my rights as an end-user.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services would severely inhibit future innovation and openness of the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
There is no demand that is an acceptable reason for allowing special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know the speed, quality of service and how traffic is managed on my internet connection.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Cliff Mitchell

Name: Asunción Lorenzo Rodríguez

Email: [maria.a.lrnz@gmail.com](mailto:maria.a.lrnz@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

La diversidad y la capacidad innovadora del ecosistema de Internet se basan en su bajo coste para la innovación y bajas barreras de entrada al mercado. Estos principios aseguran desde el primer día que toda empresa, start-up o servicio no comercial - sin importar su humilde tamaño o financiación - tenga el potencial de alcanzar una audiencia global de igual manera que sus competidores. Esta fuerza impulsora para la prosperidad y la diversidad de la economía online sólo puede asegurarse con un Internet abierto, neutral y no discriminatorio. Si se permite que los proveedores de Internet puedan interferir en las decisiones de sus clientes, mediante la discriminación económica o técnica, se pierde esta libertad esencial. De acuerdo con la consideración (1) del Reglamento sobre la neutralidad de la red, la legislación ha de ser interpretada a la luz de estos objetivos.

Si se autoriza a los proveedores de acceso a Internet a cobrar por el tratamiento preferencial, tienen un incentivo para dejar de invertir en la capacidad de red para el Internet "normal" y reducir sus límites de datos para empujar a sus clientes a utilizar cada vez más los servicios especializados. Este efecto sería perjudicial para las minorías, las personas desfavorecidas y las nuevas empresas que no pueden permitirse pagar por un acceso especial a todas las redes que les permita llegar a sus clientes, así como el desarrollo del ecosistema libre, abierto e innovador de Internet.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

Kind regards,

Asunción Lorenzo Rodríguez

Name: Serena Stuart

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Serena Stuart

Name: Elak Swindell  
Email: [phaota@gmail.com](mailto:phaota@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
My ISP shouldn't interfere with my internet connection at all. They should just give the me and other subscribers what they pay for - use of the Net in whatever fashion they desire.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Elak Swindell

Name: Wolfgang Carl  
Email: [dr.hopper@gmx.net](mailto:dr.hopper@gmx.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Wolfgang Carl

Name: Ulrich Doebler  
Email: [UDoebler@aol.com](mailto:UDoebler@aol.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,  
Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Ulrich Doebler

Name: Ivan Makfinsky  
Email: [ivan@makfinsky.com](mailto:ivan@makfinsky.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Ivan Makfinsky

Name: Kathy Yeomans

Email: [kathyyeo@hotmail.com](mailto:kathyyeo@hotmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Kathy Yeomans

Name: alle Menschen  
Email: [pierre.kunze@arcor.de](mailto:pierre.kunze@arcor.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Es gibt keinen Bedarf, das Internet soll und muss für alle Nutzer gleich schnell sein.  
Es würde einer Zensur (Diskriminierung) gleich kommen wenn Menschen auf Grund ihrer Finanziellen NICHT Möglichkeiten schlechter gestellt werden.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Finanziell potente Unternehmen werden ihre Markt beherrschende Stellung weiter ausbauen und somit auch das Internet Monopolisieren. Für kleine Firmen wäre da kein Platz mehr und die doch allseits so hofierte Vielfältigkeit würde für immer verschwinden.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN das soll er NICHT

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Überhaupt nicht

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist

besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
alle Menschen

Name: Gunnar Grah  
Email: [gunnargrah@yahoo.de](mailto:gunnargrah@yahoo.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no such demand. What's more, they interfere with my free choice of competing services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would further promote a concentration of power and control in the hands of a few, large companies.

Is there a demand for specialised services? Which services should be allowed this special treatment?

The demand is there, e.g. medical, emergency services, but these shouldn't be conducted through the regular www anyway, but should use their own, dedicated connections outside the www.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like clear, understandable and comparable information about how my traffic is being managed.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, this should not be allowed.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP shouldn't be allowed at all to interfere with my connection based on content or provider.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Gunnar Grah

Dear Sir or Madam,

My Name is Markus Riemer and I live in Göllersdorf, Austria. Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Markus Riemer

Name: Mathias Hartinger  
Email: [Mathias.Hartinger@live.de](mailto:Mathias.Hartinger@live.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand. Commercial practices such as zero-Rating would Limit my rights as an end-user.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised Services must be avoided in order to protect freedom of communication, competition and Innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

There is no demand. No Services should be allowed this or any other Special Treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive Information about the average available Speed with a specification of the Maximum and Minimum Speed. The Internet Provider should not be allowed to Display the maximum possible speed as being generally available.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Mathias Hartinger

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Alexander Stangl, ICMAB - CSIC

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Debbie Balasko

Email: [dbalasko@generalformulations.com](mailto:dbalasko@generalformulations.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

YES

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NEVER

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ALL OF THE ABOVE

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Debbie Balasko

Name: Jonathan Grant  
Email: [darkalter2000@yahoo.com](mailto:darkalter2000@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

As an end user zero-rating and other such "commercial practices" use conditioning to steer consumers towards services "preferred" by ISPs.

An example: Hulu pays ISPs exorbitant fees to be added to the zero-rated list but Netflix doesn't. Therefore if I, as a consumer on a dataplan, watch programs on Netflix I am punished by losing available bandwidth. Therefore watching on Hulu is consumer-preferred to save bandwidth. Therefore Netflix is a less valuable property and Hulu begins monopolizing the market.

Continuing this example outward, any new company that starts a streaming service starts at a disadvantage and can fail due to monopolistic practices rather than any deficiency that exists within their business practices. Then the ISPs can demand higher fees from Hulu that they will have no choice but to pay to retain their new majority market share, eventually innovation will stagnate in the streaming space due to the monopoly held by Hulu and the ISPs draining off the majority of the extra money they made from monopolization. So even the company that paid to get ahead is, in the end, disadvantaged by the so called "commercial practices".

This is only one example but there are many others if you take the time to think of them.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't believe any enterprise should have specialized service access. At least not if they can not conclusively prove to a specialist board of examiners that the service wouldn't function on the open internet. This is not a situation where companies can be trusted with loose wording of the law (as if there ever was). Otherwise it disrupts the internet in much the same way as zero-rating, only worse. It would function much like zero-rating while also adding in discrimination based on what /type/ of device you are accessing the service with. It adds in the ability to exploit consumers by not allowing access to a service based on what hardware you are using.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services should be heavily limited if allowed to exist at all. Otherwise, they would break the internet into islands. The original patent that makes the internet possible was distributed freely to prevent that very event. If specialized services that didn't absolutely require additional quality were allowed to exist then soon enough the internet would break down by ISP. Speeds would change based on whether or not the manufacturer/provider paid extra to your ISP provider to have connectivity between what device and services you use at an optimal speed. The internet I am able to use and the internet my next door neighbor are able to use would be different even if we paid for the same speed if we happened to be different ISPs, or if we were on the same ISP but I used a PC and my neighbor used a Mac.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know everything about my connection. I want to know up-to-the-second why access to a site is slow at certain times and not others, why my internet isn't as fast as I paid for at some time, everything about what they do should be clear and concise in order for me to make good decisions. Not that getting clear and concise information excuses bad practices at all. It doesn't. It should be helpful not clearly telling me how bad they are screwing me and that there is nothing I can do about it because they are the only ISP in my area.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. My packets are to be sent /through/ them. Not be read /by/ them. All packets should receive equal priority. deep packet reading only allows for biased delivery practices.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. If I ever find out my ISP is doing this to me I will discontinue my subscription with them for another services that promises, and delivers on said promise, to not throttle my connection, even if it costs more and has a slower download rate.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Jonathan Grant

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

In my understanding, commercial practices are all limitations or restrictions of basic network functionality which are not necessary for ensuring the network to function.

Subscriptions of media services provided over the internet should not be seen as banned commercial practices as long as their internet traffic isn't handled differently from the rest of the traffic. There explicitly shouldn't be any zero-rating.

Zero-rating itself shall be seen as a banned commercial practice.

My name/organisation:

Oliver Schmidt

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliability) in addition to Internet access, can be offered by Internet access providers?

What are the characteristics of such services that would justify the fact that they are not offered over the internet?

"Specialised" or "optimised" services shall not be comparable with usual internet services. Services which used to be accessible from the "normal"

internet, can be accessed as part of the "normal" internet from another ISPs network or can somehow be realised as a normal internet service shall not become "specialised services".

"Virtual dedicated lines" which interconnect a certain set of locations of a company by renting a certain reserved capacity in the backbone and ensuring a quality of service by using the fastest route are a valid possibility if they are only used to interconnect these exact locations, then they act like a kind of dedicated line connecting a set of ethernet ports.

They shouldn't be allowed to provide a "fast lane" for a company to prioritise their service on its way to end-consumers. An example for that would be a video streaming platform buying a QoS-ensured "fast lane" to the network of the Deutsche Telekom with the aim of having a fast lane to each of their customers. This should not be allowed because the video streaming platform wouldn't have bought a dedicated line to each of their customers either.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

I really cannot think of such a service except maybe public emergency calls.

But these are just VoIP calls which first don't need much bandwidth and second can be prioritized over non real-time traffic by the end-customer's network router like other VoIP calls (end-to-end principle of the internet).

If e-health requires a real-time connection for critical operations, these operations are better off to take place in a specialised facility having a dedicated line to the other communicating side. Other solutions are way too dangerous for the patient.

Autonomous cars must have enough sensors and processing power to keep working without an external internet connection. They mustn't depend on receiving realtime or critical data over the internet, otherwise they have to be seen as unsafe technology. Data from the internet may only be used to provide additional information like traffic information, which can partially also be transmitted through mesh-networking between cars.

So apparently there is no need for "specialised services" as each problem is better to be solved at the endpoints of the connection itself.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Negative impacts of specialised services:

Reducing competition and innovation in the market as big established services can afford "fast-lanes" through specialized services while new competitors like startups can't afford these.

They'll probably also lead to monopolisation among ISPs as companies buying a specialised services will only do that at big ISPs, not at small communal ISPs. The specialised service may then appear to be faster for customers of a big ISP than for those of the small communal one or may not be available at all.

Fragmentation of the internet & service market: Customers can't rely on being able to access a service when having an internet connection, no matter which ISP they get their connection from. This may lead to a fragmentation of services only being available to customers of certain ISPs while customers of other ISPs can't access these services at all or only with a worse quality, although having an equivalent internet connection (e.g. both customers have a VDSL 50MBit internet connection). This is an issue as a household may not be able to choose between all ISPs due to limited regional availability.

Do you think that commercial practices could limit your rights as an end user?

Could you provide examples?

Commercial practices can limit some of my rights like freedom of expression and dialogue by not having equal possibilities in deciding where to publish information and texts describing my opinion as the zero-rated services may not allow this because of restrictions in their terms of service or I can't reach everyone through the platform.

They also limit my right of free access to information as they create an additional barrier for accessing information on non-zero-rated services (e.g. extra payment/ longer loading time). Commercial practices like zero-rating also limit competition between services as they also provide an advantage only a few big, established companies can afford.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

Traffic monitoring like DPI is a privacy-violating technique used by oppressive regimes and must not be allowed. The regulation prohibits specific forms of traffic monitoring.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

According to the end-to-end principle of the internet only end-users shall be able to decide how to prioritise certain types of traffic in their own end-device (e.g. their internet router). ISPs shall only be allowed to interfere in this prioritisation if this is necessary to resolve a congestion in the network. They then have to use only categories which are technically necessary without categorising the traffic after commercial criteria.

A problem with prioritisation of traffic is that encrypted communications may not be categorized properly and because of this discriminated against in comparison to unencrypted traffic of the same type.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Traffic management shall not limit my choice between certain services, products or types of communication. This can't be guaranteed as every user may have different priorities or different technical requirements. Also some traffic, especially encrypted communication, may not be categorised properly and though be discriminated against in comparison to unencrypted traffic of the same type.

Because of that discrimination mustn't be allowed and traffic management has to be temporary and only if technically needed to resolve an actual congestion. It must also be application-agnostic.

What would you consider to be "reasonable" traffic management measures? How can "unreasonable" traffic management measures affect you as a user? Please, provide examples. Reasonable traffic management is application-agnostic management technically needed to resolve an existing traffic congestion. It must be temporary and stop as soon as the congestion is resolved. Unreasonable traffic management is e.g. application-agnostic traffic management as it restricts my choice of application usage. Every form of traffic management interfering or limiting my ability to access specific points on the internet can be seen as restricted access as the service/ point I want to access is not available to me in the quality as it could be.

What information would you need to make an informed decision about your Internet connection? For example: traffic management; commercial practices or technical conditions?

At first, discrimination doesn't become less discriminating when it's done transparently. I may not have the choice to become customer of a less discriminatory ISP because of limited regional availability or because such an ISP doesn't even exist.

While transparency isn't enough, it's still necessary. It shall use a standardized terminology between all ISPs which needs to be understandable without technical or legal knowledge. Practical and representative examples of traffic management and discrimination have to be given.

What information would you like to receive about the speed of your Internet connection?

I want to have information about the average, maximum and minimum speed of my connection. If there are certain patterns in the availability of certain speed levels (e. g. the internet becomes slow in the evenings) I want to get these information, too, in a way easy to understand (e. g. speed graphs)

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

Information about all parameters influencing the quality of the connection need to be given (e. g. jitter, latency, packet loss) together with representative examples of their real-life consequences (e.g. video delays, sudden audio errors). These information are needed to make a well-informed decision when choosing an internet access suiting my needs.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Oliver Schmidt  
student of computer science and German citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No. Es should be allowed no Servies.

Positive impact for hospitals when in an accident, the patient in the ambulance is and his data on his injury directly to the hospital received .negative impact.Wenn to the whims of the controls are delivered randomly.

it is known that such business practices .For the one or other consumer-is with safety his election negatively .if customer reviews 100 negative and 5 positive. do not buy the customer.

no way

the ISP should it not allow to interfere with the internet and to curb

traffic has no Internet users to sniff right in the privacy of the round.

who we infos internt speed, quality then ask our providers.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Alexander Hirner  
Email: [hirner@yahoo.com](mailto:hirner@yahoo.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
P2p filestorage

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
A litte bit only and transparently

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Alexander Hirner

Name: Colin O'Neill  
Email: [colinoneill@telenet.be](mailto:colinoneill@telenet.be)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Video conferencing, VR/AR could require dedicated bandwidth for optimum service. Should NOT impact internet access. If a service provider cannot guarantee the bandwidth for these services, should not throttle other services to be able to deliver these specialised services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

- + Guaranteed QoS for video conferencing
- Telenet fucking with my Netflix streaming

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NEVER

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Upload/download speeds - ideally not asynchronous.

QoS agreements for dedicated services like Video conferencing / video and VR streams

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Colin O'Neill

Name: Arvind Sivaramakrishnan  
Email: [arvind.sivaramakrishnan@gmail.com](mailto:arvind.sivaramakrishnan@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Restriction and limitation mainly on commercial grounds.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Arvind Sivaramakrishnan

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Elisabeth Roedler

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Therese Hicks

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen  
Therese Hicks

Name: Frank Noble

Email: [frank121234@gmail.com](mailto:frank121234@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No real demand, just a gimmick. Don't mess with my internet. WWI, WWII, WWW!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Discourage them!

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No way!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Any and all info.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Frank Noble

Name: Robert Krueger  
Email: [robkrueger@att.net](mailto:robkrueger@att.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Robert Krueger

Name: Tom Secco  
Email: [tom.secco@att.net](mailto:tom.secco@att.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tom Secco

Name: Lorenzo Bedini  
Email: [lorenzo.bedini@btinternet.com](mailto:lorenzo.bedini@btinternet.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I'm not sure I'm qualified to give an opinion on this. I would suggest that where any specialised service gives a better service to the user without additional cost to the user, the current regulations appear to be quite fair and in order.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

As things stand, the internet provides a level playing-field. Not only would it be unfair on the innovator to be debarred from sharing his/her work, should they choose to do so, on grounds not having enough money, it might very easily be a loss to the wider world which never gets to benefit from said innovation.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I'm sure there's a demand for commercial practices such as Zero Rating, just as, regrettably, there are demands for illegal pornography, illicit drugs and sites that tell you how to manufacture arms and bombs, but demand on its own is no justification.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

There is a considerable amount of theft. Many people believe it is their right to download films, books, music and other things for free. It is not, and the arts and humanities particularly are suffering from this widespread theft of intellectual property. Therefore, in cases such as this, or in cases where the content is in other ways illegal, the ISP should 'throttle' sites that encourage this practice. Throttling or prioritising on purely commercial grounds is anathema.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. That would be like allowing the police to conduct a search without a warrant.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

My ISP seems to fit the criteria laid out in the 'extra information' section of this page.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lorenzo Bedini

Name: Willis Gravelle  
Email: [bill.gravelle@yahoo.com](mailto:bill.gravelle@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

i don't think it is good

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

any restraints or preferential treatment affects the abilities of the entire world

Is there a demand for specialised services? Which services should be allowed this special treatment?

i don't think there is this demand for specialized services

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

as much as possible

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Willis Gravelle

Name: Timothy Miller  
Email: [timr.miller@verizon.net](mailto:timr.miller@verizon.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I don't believe there's a consumer demand for "specialised services".

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Limiting my overall bandwidth could be fair if I were on a limited-data plan, but otherwise, my Internet connection should not be hindered compared to other customers.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I believe that my ISP is obligated to keep me informed as to my Internet connection's speed and how the company would attempt to moderate overall traffic as it affects my use of the Internet at any given time.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Timothy Miller

Name: Jérôme DAUTZENBERG

Email: [jerome@aranha.fr](mailto:jerome@aranha.fr)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

zero rating favors the biggest entités and unfairly limit the ability of small entities and individuals in their publishing capabilities and their rights. This is a roundabout way to discriminate by presenting yogurt as half full rather than half empty and it is certainly bad for us.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services are not internet and should under no circumstances be confused.

Is there a demand for specialised services? Which services should be allowed this special treatment?

If an ISP would provide a specialized service (current television ...) it must bear the transport and load outside of Internet.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, it's counter-inovative, counterproductive and pervert

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP must provide the flow for which I pay without interfering in any way whatsoever.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISP should have obligation to provide me transparently all the information on the characteristics and the actual state of my connection and services, with standardized terminology, and inform me of comprehensive and technically relevant way disturbances and monitoring of progress.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jérôme DAUTZENBERG

Name: Nics Buero  
Email: [buero@nicsbuero.com](mailto:buero@nicsbuero.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Nics Buero

Name: Brian Moore  
Email: [BlueChromeLoon@gmail.com](mailto:BlueChromeLoon@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
They should not be able to do so whatsoever

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Brian Moore

Name: Enrico Pelausa  
Email: [ricop2003@yahoo.com](mailto:ricop2003@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO! No website should be allowed to track it's visitors! Peoples personal information SHOULD NOT be allowed to be used by a website for their benefit and profit unless the user agrees to let them do so, and the default should be no. If they're a business they need to charge for their service instead of behind the scenes selling and using personal information. The advertising industry, if it can be called that anymore, needs to be reigned in as well.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NONE! Unless users are using huge amounts of bandwidth, regularly.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Enrico Pelausa

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Roland Leyser

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Mahdi Benadel

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No. Period.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

They should not be allowed to interfere at all.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

All of it.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

BENADEL Mahdi Zakaria

Name: Jan Felix Stridde  
Email: [f.stridde@hotmail.de](mailto:f.stridde@hotmail.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Es gibt dafür lediglich einen Bedarf bei den Internet-Riesen, die sich eine solche Praktik leisten können. Damit werden junge, innovative Dienste diskriminiert und Entwicklungen unterbunden. Das muss verhindert werden.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Spezialdienste wären für zeitkritische Dienste denkbar, die ein öffentliches Interesse bereitstellen. Z.B. Online-Notruf

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Auf keinen Fall!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht, ich will jederzeit, für alles was ich tue, die von mir bezahlte Bandbreite nutzen können.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Ich möchte umfassend über das Produkt, was ich bezahle, informiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den

Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Jan Felix Stridde

Name: Christian Hoffmann  
Email: [christianhoffmann@me.com](mailto:christianhoffmann@me.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein, diesen Bedarf gibt es nicht. Dies verzerrt den Wettbewerb. Nur bei gleichen Bedingungen für alle Anbieter (auch Einsteiger in innovative neue Geschäfte) herrscht Anreiz für ständige Innovation im Wettbewerb.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Diskriminierung von finanziell schwächeren Anbietern (Innovationsmangel), Bewertung von zu genehmigenden Spezialdiensten öffnet Lobbyismus und Korruption Tür und Tor.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Nein

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Durchschnittsgeschwindigkeit, PING, Verfügbarkeit, Verhältnis langsamste zu schnellsten Paketen im Netz.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

gar nicht

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best

Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Christian Hoffmann

Name: Kathryn Lindstrom  
Email: [ktsmurf\\_loves\\_linux@yahoo.com](mailto:ktsmurf_loves_linux@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Kathryn Lindstrom

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Network providers should be allowed to offer any specialised service to me, as long as I can still use the Internet. There should be fair world wide interconnection rules between carriers. Bandwidth should be distributed between services according to my willingness to pay for a service! I am not willing to pay the same price per kbps for high bandwidth-consuming VoD-Services as for low bandwidth-consuming VoIP-Services.

Negative: Services like IPTV will be so expensive, I will not use it! Why should it be only the user to pay for the network? Why should we ban business-models, like advertisement-based services from the Internet? Look at the capitalizing of content-owners (like Google) and compare it to network-owners (like Telefonica). Why should it be allowed, that Google can monopolize Content-Offers, while Telefonica has no right to let Google pay for the access to it's customers.

As long as I have a choice of ISPs, I can't see a problem in zero-rating! We are living in a system of open markets. Why should an ISP be limited to what he is offering to it's customers as long as the customers can choose from several offers? My right as an end-user is to have choices. Markets will sort out the rest!

There is no need to monitor the traffic, if there is a sufficient interconnection model.

As long as the ISP clearly states it's policies and there is a choice of ISPs available, there is no need for additional rules. Let the market decide!

As much information as is understandable for most customers and technological reasonable. Apart from DSL-connection speed in an TCP/IP network, there is not much more information, that most of the customers will be able to understand!

Kind regards,  
A concerned citizen

Name: Niels Kobschätzki  
Email: [niels@kobschaetzki.net](mailto:niels@kobschaetzki.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't want zero-rating. For example t-mobile does zero-rating with Spotify, Vodafone with Deezer. When a new service comes up that is better than Spotify or Deezer, it will have a harder time to compete because zero-rating introduces a new entry-barrier into a market. And economics 101 tells us that entry-barriers should be as low as possible to increase competition and increase the efficiency of the market. Zero-rating is a market distortion that brings only utilities to already existing companies with a certain amount of resources.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There are positive impacts? There are only negative impacts. Competition decreases, thus market efficiency decreases, Schumpeter's creative destruction will have a harder time because of higher market barriers. Everyone except the ISPs loose. The customers will pay in the end more, new market players will have a higher entry barrier because they can't afford to pay to get fast to customers, existing companies have to pay ISPs in addition to the customers of the ISPs who already pay. It's a win-loose-loose-loose-situation and the only winner are the ISPs which are already situated in a market with high entry barriers.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No. There is no demand for specialised services. Even something like a remote medical procedure would be done with specialised networks because using the internet for something like that could just bring too many problems while using such a critical application.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed and possible speed (am I throttled by default) Quality, Traffic management, Plans in my area of living about increasing internet infrastructure, so that I know if and when I might be able get access to faster internet, plans for implementing modern technologies like IPv6

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

It depends. Real-time-critical traffic should be prioritized but other traffic shouldn't be de-prioritized. And there shouldn't be discrimination in the same service class.

They should be able to monitor for real-time critical applications, so that for example they can prioritize voice-over-ip-traffic over e-mail for example. But they shouldn't discriminate between the voip-traffic (i.e. their own or that from another provider used in their network) in that case. They should also not be allowed to reduce certain services at all times. For example reducing P2P-traffic shouldn't be getting throttled down just because it is P2P-traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It should be allowed to prioritise certain traffic but not be allowed to throttle certain traffic.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Niels Kobschätzki

Name: Paul Johnson  
Email: [hpauljohnson@gmail.com](mailto:hpauljohnson@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Paul Johnson

Name: Damon Wolf  
Email: [wolfbrostudios@gmail.com](mailto:wolfbrostudios@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Damon Wolf

Name: Richard Firestine  
Email: [fritz4251@verizon.net](mailto:fritz4251@verizon.net)  
Confidential: No

---

Dear Sir or Madam,  
Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
hands off

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Richard Firestine

Name: David Gignac  
Email: [weathertite@hotmail.com](mailto:weathertite@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
David Gignac

Name: Florin Petric  
Email: [zamolxe3000@yahoo.com](mailto:zamolxe3000@yahoo.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
As little as possible.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All of them.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this

constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Florin Petric

Name: Bernadine Turner  
Email: [bernadine\\_t2000@yahoo.com](mailto:bernadine_t2000@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Bernadine Turner

Name: Stephen Dutschke  
Email: [sdutschke@gmail.com](mailto:sdutschke@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Stephen Dutschke

Name: Carlo Mertins  
Email: [scott4500@gmx.de](mailto:scott4500@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Das Zero-Rating dient als Mittel um nicht kommerzielle Inhalte zu drosseln. Hierbei besteht die Gefahr das gedrosselte Internetseiten viel seltener aufgerufen werden. Die wenigsten Benutzer wollen minutenlang warten bis eine Seite angezeigt wird. Damit ist das eine Form der Zensur durch den Provider, und er entscheidet welche Inhalte er zensiert. So ist es ihm möglich bestimmte Seite die sich kritisch über das Unternehmen oder dessen Geschäftspartner äußern, so zu drosseln, das ein normaler Aufruf der Seite nicht mehr möglich ist, die Kritik bleibt somit ungehört! Das bietet Providern die Möglichkeit Neukunden zu werben, indem er das Image des Unternehmens besser darstellt als es in Wirklichkeit ist. Auch ein Blogger muss die Möglichkeit bekommen seine Meinung zu äußern, ohne dass sein Recht auf Meinungsfreiheit durch Drosselung des Providers eingeschränkt oder gar verhindert wird.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Das Internet konnte nur so groß werden, weil es frei, neutral, und dezentral Verwaltet wurde. Es dient heute der Kommunikation von allen Menschen, unabhängig von, der Herkunft, des Glaubens, den Ansichten oder der sexuellen Orientierung. Das sind gelebte Menschenrechte, die auf der Freiheit des Internet stehen. Wird diese Freiheit eingeschränkt, so werden auch die Menschenrechte eingeschränkt, zu Gunsten der wirtschaftlichen Interessen einzelner Konzern. Deshalb muss die Freiheit des Internets besonders geschützt werden, gegen die Interessen einzelner!

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Nein, jeder hat die Möglichkeit seine Dienste nach seinen Vorstellungen ins Internet zu stellen. Die Nutzer werden dann entscheiden welcher Dienst sich durchsetzt und welcher nicht. Die Aufgabe der Provider ist es lediglich ein ausreichende Bandbreite bereit zu stellen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, die Provider sollen den Transportweg für meine Daten bereitstellen, der Inhalt meines Datenvolumens ist dafür irrelevant! Die Post öffnet auch nicht die Pakete, um zu sehen welchen Inhalt sie haben, um dann zu entscheiden wie schnell sie zugestellt werden. Wenn Nutzer des Internet unterschiedlich behandelt werden, auf Grund ihres Nutzungsverhaltens, dann verstößt das meiner Meinung nach gegen die Menschenrechte in den es heißt, alle Menschen sind gleich! Ein weiterer Punkt ist dass das Internet nicht einzelnen gehört, sondern uns allen! Die Provider stellen lediglich den technischen Zugang her, das ist aber nur ein kleiner Teil des Internets. Wenn Provider gleichzeitig kostenpflichtigen Content anbieten besteht dort außerdem ein Konflikt zwischen ihren Pflichten, als Provider neutral zu sein, und den wirtschaftlich Interessen des Konzerns. Das führt dazu, dass am Ende ein Monopolist entsteht, es zu negativen Folgen für die Internetwirtschaft kommt, was am Ende Arbeitsplätze kostet und der Wirtschaft insgesamt schadet.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Ein Provider stellt lediglich die technischen Voraussetzungen für den Zugang her. Wie dieser Zugang genutzt wird, hat ihn nicht zu interessieren. Wenn ich mir einen Fernseher kaufe, dann wird mir auch nicht vom Hersteller vorgeschrieben wann ich welche Programme auszusuchen habe. Dasselbe erwarte ich von meinen Providern. Das Internet ist nicht von den Providern erschaffen worden, ganz im Gegenteil, sie waren Nutznießer der digitalen Revolution. Jetzt versuchen sie die Kontrolle über das Netz zu übernehmen, um anderen Unternehmen die Chance zu verwehren ihrerseits vom Internet zu profitieren. Dass ein Netz das unter der Kontrolle eines Konzerns steht, nicht funktioniert, zeigt die Geschichte. Als Beispiele sind hier der Telekom Dienst BTX, und das Microsofteigene Netzwerk MSN zu nennen, die beide grandios gescheitert sind.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Heute kauft man die Katze im Sack, da die Angegeben der Datenrate nur der Maximalwert ist, der erreicht werden kann. Es gibt aber keine Untergrenze die angegeben werden muss. Solche Daten und auch wie welche Dienste durch das Netz geleitet werden und mit welchen Übertragungsraten, müssen veröffentlicht werden, da ich als Kunde sonst keine Möglichkeit habe zu prüfen was ich kaufe. Außerdem sollte der Provider verpflichtet werden, die tatsächliche Übertragungsraten die während der Nutzung durch den Kunden erreicht wurden, monatlich mit der Rechnung an den Kunden zu übermitteln. Eine weitere wichtig Information die vom Provider veröffentlicht werden muss, ist welchen Zugriff der Provider über den von ihm gelieferten Router auf das Netzwerk des Kunden hat. Hier sollte gelten das bei der Anschlussdose für den Router der Zugang des Providers endet.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREK Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Carlo Mertins

Name: Brian Clifton

Email: [arrrclifton@yahoo.com](mailto:arrrclifton@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Brian Clifton

Name: David Stöckl  
Email: [david.stoeckl@blackbam.at](mailto:david.stoeckl@blackbam.at)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for commercial practices. As already said - provide fast internet in general. Otherwise it will be hard for startups and little services while big companies become even more untouchable. This will be counterproductive to innovation.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I can not see any positive aspects beside in very special areas of e.g. real-time applications for science and health. Negative impacts are obvious: It is bad for all services which are not well-known, it is bad for every company with lower budget and it is bad for every internet user which is performing unconventional activities.

Is there a demand for specialised services? Which services should be allowed this special treatment? Not really. As already said - if even - very special cases which are important for humanity in general e.g. health and science.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much information as possible but in a clear, structured, understandable way. A consistent, strong internet connection with no lags is more important than speed alone.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not. Surveillance by the ISP for the purpose of traffic management is a no go. This information may be misused. The traffic management is undecidable in a fair way.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not in any way. Provide fast internet generally everything else will lead to inconsistencies and unfair treatment.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
David Stöckl

Name: Brandon Juhl  
Email: [brandon.juhl@gmail.com](mailto:brandon.juhl@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't have any demand for that. It could limit my rights, possibly. I'll need to learn more about it.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I'm not sure.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't know.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Nope.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it. All the information should be publicly available.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Brandon Juhl

Name: Julia Walls

Email: [juliarenewalls@yahoo.com](mailto:juliarenewalls@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Julia Walls

Name: Martin Šmíra  
Email: [gms@email.cz](mailto:gms@email.cz)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Martin Šmíra

Name: earl lippold

Email: [earllippold@gmail.com](mailto:earllippold@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
earl lippold

Please make sure that internet access is non-discriminatory.

At best, pure entertainment media like listening to music, streaming videos, playing online and such that do not have an educational character or vocation may be made available at a charge.

Herbert Eismann

Name: Chris Stay  
Email: [cstay@aol.com](mailto:cstay@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Chris Stay

Name: Scott Herman  
Email: [scott.herman@unconxio.us](mailto:scott.herman@unconxio.us)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating definitely limits my rights as a consumer. Let's remember that the internet was not built by ISP's but by academics and open source software practitioners who released their work to the public domain. ISP's owe the public a debt of service in return for those selfless investments and gifts.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It will obstruct innovation, education, and free speech. It will likely hamper public services.

Is there a demand for specialised services? Which services should be allowed this special treatment? A case may be made for emergency services, but other than that, I would say not. Commercial enterprises already have a huge delivery advantage over smaller users. Additional advantages for them would so marginalize smaller users that the positive social value of the internet would be severely mitigated.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. That will make it extremely difficult for me to do business securely, and the content of my data is none of their business.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I purchase online access for a specified data rate. Any mechanism which throttles or manipulates the data rate below the rate for which I am paying is a violation of my business agreement with my ISP, regardless of whether such throttling occurs at the the originating point of transmission or at the point of receipt.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I pay for unobstructed access. I want whatever information I need to ensure that I get that.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Scott Herman

Name: Helene Vion  
Email: [helen.vion@gmail.com](mailto:helen.vion@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

This is not ok to impose the end user such things as "zero rating", let us choose what we want to see.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If you continue to try impose the big corporations views on us, then the starting businesses would not be able to start on the net!

Is there a demand for specialised services? Which services should be allowed this special treatment?

None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No way! Let us chose what we want to have on our screens!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

This is a basic human right to be able to chose what we want to have on our screen!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know who is providing the connection, its speed, its quality and how is my traffic managed.  
I want to be sure this is safe to use.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Helene Vion

Name: Lori T. Cramer  
Email: [Wildflower0928@yahoo.com](mailto:Wildflower0928@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Lori T. Cramer

Name: Martin Eberle

Email: [martin.eberle+savetheinternet.eu@gmail.com](mailto:martin.eberle+savetheinternet.eu@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, they shouldn't.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Martin Eberle

Name: Achilleas Gioypi  
Email: [gioypi@hotmail.gr](mailto:gioypi@hotmail.gr)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Companies with enough funds would gain ultimate power over the internet, while small organisations could not survive. This would lead to a lack of diversity and, of course, free speech.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None, all services should be treated equally.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No! The ISP should have no right to spy on its clients.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all! Having an internet connection means paying for every sort of data. The ISP should not choose what the client wishes...

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Whatever information are available through the router page ( like speed) is essential. Yet, a more specific explanation of how my traffic is managed would be useful.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Achilleas Gioypi

Name: Doris Rottensteiner  
Email: [dorisrottensteiner@gmx.at](mailto:dorisrottensteiner@gmx.at)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Doris Rottensteiner

Name: Alex Taplin  
Email: [arjtaplin@gmail.com](mailto:arjtaplin@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Alex Taplin

Name: Siran Sullivan  
Email: [nothing\\_tr9@yahoo.com](mailto:nothing_tr9@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Siran Sullivan

Name: John Spragins  
Email: [johnspragins@bellsouth.net](mailto:johnspragins@bellsouth.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
John Spragins

Name: Dan Eloff/WITI  
Email: [daniel\\_c\\_elloff@yahoo.com](mailto:daniel_c_elloff@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No, it should not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all. I should be able to throttle for my own network and/or domain as I see fit. My bandwidth should be what I pay for, nohign less, and my ISP should allow me to use it as I choose.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Dan Eloff/WITI

Name: Dennis Anderson  
Email: [da1848@yahoo.com](mailto:da1848@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

No positive effects

Is there a demand for specialised services? Which services should be allowed this special treatment?

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

None

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Dennis Anderson

Name: Scott G  
Email:  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, traffic is traffic.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not, I pay for my internet to work at it's full potential NO MATTER WHAT service I use, that is my business. Provide me the service and I can use it legally as I like.

An ISP should protect the privacy of it's customers too.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

In absolute extreme cases, people doing extreme uploads like hosting things on home connections for long long periods of time, they can be limited to stop them, or indeed to protect against botnet DDoS attacks.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

A monthly report, showing times the internet was slowed down and where, to help identify areas of the network infrastructure are being affected, particularly slow youtube areas for example. In addition, to allow me to request compensation my service was not working properly.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Scott G

Dear Sir/Madame,

I am submitting this comment to urge you to support net neutrality which is vital to internet freedom and even political freedom. We are in a world which is increasingly controlled by large corporations with the ability to escape national controls, making them incredibly powerful. This is a real threat to the average person who has little power. But the internet is the exception - through the net he can make his voice heard. One can only imagine the consequences if his voice could be stifled through a slowing down or narrowing of his capacity to investigate, protest , reveal, express his opinion.

The telephone is an open and neutral service, but it is being greatly replaced by internet communication, which must enjoy the same status.

Respectfully,

Kathleen Lambert

Name: anna

Email: [lockz22@hotmail.com](mailto:lockz22@hotmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes they limit my rights as they limit economic competition and freedom of communication

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I do not see any positives. Specialised services will negatively impact the future of the internet making it less open and impartial

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All the information regarding exactly what service is being provided

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. It should be my choice what I am viewing. They would be prioritising traffic based on what serves the purpose of big business seeking more profits and power.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
anna

Name: Katherine Wright/my own behalf

Email: [kmhgw@yahoo.com](mailto:kmhgw@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Unsure

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Katherine Wright/my own behalf

Name: David  
Email: [sereg2521@gmail.com](mailto:sereg2521@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

They limit my rights as an end-user by discriminating against me via the services I use the internet for.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is a threat of discrimination. Charging people differently is a violation of justice and equality.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This is a violation of human rights.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
David

Name: J. G. Andy Rohel  
Email: [andy\\_worms@web.de](mailto:andy_worms@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
überhaupt nicht

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen

würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
J. G. Andy Rohel

Name: Darren  
Email: [DarrenAIW3@sky.com](mailto:DarrenAIW3@sky.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes. Commerce shouldn't dictate.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The only specialized service should be the ability to track potential terrorist usage.

Is there a demand for specialised services? Which services should be allowed this special treatment? Business and Corporations shouldn't have ANY specialized right of service over an individual user.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I pay for my Internet connection so, no interference.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of it.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Darren

Name: Dr. Johann Uhrmann  
Email: [johann.uhrmann@gmail.com](mailto:johann.uhrmann@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Es gibt keinen Bedarf für Zero-Rating. Zero-Rating wirkt stets marktverzerrend.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Spezialdienste bei gleichzeitiger, unbedingter Netzneutralität werden den Ausbau des Internets vorantreiben. Spezialdienste ohne unbedingte Netzneutralität wird zur Monopolbildung und Marktverzerrung führen.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Nur Dienste mit Notruffunktion (z.B. VoIP) sollen diese Sonderstellung bekommen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Die Überwachung meines Internetverkehrs durch den Internet-Provider muss gesetzlich ausgeschlossen werden.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Der Internet-Provider soll nur die Datenübertragung für durch ihn selbst erbrachte Dienste beeinflussen, wenn dies für Notrufe notwendig ist (z.B. für durch ihn selbst erbrachte VoIP-Dienste mit Notruffunktion).

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Über meinen Internetanschluss möchte ich die Zusicherung, dass alle Datenpakete gleichberechtigt behandelt werden.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Dr. Johann Uhrmann

Name: Denis Van Melkebeke  
Email: [denis.vmbk@gmail.com](mailto:denis.vmbk@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No demand on my side

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I don't know

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't think there should be those specialized services

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The least possible and with proven technologies which does not interfere with the content

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The less possible

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Denis Van Melkebeke

Name: Suhail Shafi  
Email: [suhail\\_shafi@hotmail.com](mailto:suhail_shafi@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Suhail Shafi

Name:

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Zero Rating würde meine Rechte als Endverbraucher stark beschränken. Angenommen mein ISP führt Zero-Rating für alle Inhalte der TAZ Verlags GmbH ein. Dann würde ich doch kaum noch Inhalte des Axel Springer Verlags oder von tagesschau.de zur Kenntnis nehmen, was mein Weltbild stark beeinflussen und einschränken würde.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Positiven Einfluss hätten nur bei solchen Diensten, die bisher nicht angeboten werden können, weil "das Internet" nicht erlaubt gewisse Echtzeitanforderungen abzubilden. Ich halte es für weitaus zielführender für solche Anwendungen auch spezielle Infrastruktur aufzubauen, die die Anforderungen erfüllen. Das kann nicht die Aufgabe eines gemeinen ISP sein.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Nein, ich sehe den Bedarf in dieser Form nicht, zumindest nicht im Internet. Ich plädiere für die Schaffung zusätzlicher Infrastruktur seitens der Anbieter solcher Spezialdienste.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht! Mein ISP sollte sich lediglich dafür interessieren, welchen Teil der Bandbreite ich "verbrauche" und mir abhängig davon eine Rechnung stellen. Das wäre ja so als ob die Post für meinen neuen Roman mehr berechnen würde als für meine Steuererklärung, obwohl beide dieselbe Anzahl an Seiten haben.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese

grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

mit freundlichen Grüßen,  
undefined

Name: Hans Martin Eystberg  
Email: [Hans21511@gmail.com](mailto:Hans21511@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No it should Not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None at all. I should be free to watch anything I want. As long as its not breaking any rules such as child pornography and such I should be able to do what I want without being hindered in any way

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Hans Martin Eystberg

Name: John Kennedy  
Email: [john@kennedy-net.com](mailto:john@kennedy-net.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No. No service should be treated this way.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

When there are different tiers, only the rich can get the most out of the internet. It should be more democratic than that.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for zero-rating or throttling. In fact, it is just the opposite. Consumers want to be able to do whatever they want with their internet connection.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

It shouldn't be able to do this at all. I pay for a certain amount of bandwidth or data. The ISP shouldn't be able to tell me what I can and cannot do with that.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. Only a court order and a government agency through due process should be able to monitor my traffic. Otherwise, it's not neutral.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want all of that information, and I want it up front when I'm paying for it. It should be right on the bill.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
John Kennedy

Name: Carl Howard  
Email: [littgrey@ix.netcom.com](mailto:littgrey@ix.netcom.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Among other things, a chilling effect on innovation and on freedom of speech and access, has no ethical upside. None.

Is there a demand for specialised services? Which services should be allowed this special treatment? Humanitarian or Emergency services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not in the least!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Perhaps a graphic presentation, such as a pie or bar chart.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Carl Howard

Name: Lois Lommel  
Email: [lolo2636@verizon.net](mailto:lolo2636@verizon.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I want for myself and the EU users to have free expression and the full range of Internet knowledge at their disposal, unsubjected to prioritization and restrictions of any kind on the basic functionality of the Internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

a negative impact would be to squash competition & innovation

Is there a demand for specialised services? Which services should be allowed this special treatment?  
yes, music

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I don't know all the possibilities

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know in plain English how traffic is managed on their networks, what average speed I can count on (not their optimum maximum speed) I would like to know how their mgmnt. of info is limited in time & scope.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Lois Lommel

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:  
Daniel Weber

Is there a demand for specialised services? Which services should be allowed this special treatment?  
In my opinion there is no demand for special services.

I see VoIP as the only service which should be allowed (but not required) to get special technical (not commercial) treatment to ensure emergency calls even when network connections are congested.

In case special treatment of VoIP is implemented, it must not be implemented only for certain VoIP services (e.g. the VoIP service bundled with the internet access contract) but for all VoIP services.

I don't see automated driving as special service, because automated cars are also required to function within tunnels or mountain valley where low latency internet access via GSM/UMTS/LTE is not available and automated cars are not remote controlled via the internet, so they don't require low latency internet access in general.

I can only imagine negative impacts on future innovation and openness of the internet. Allowing special services without strict limitation would give big companies the chance to buy "fast lanes" which smaller companies and especially startups cannot do due to insufficient income.

Researches have shown that only few milliseconds decide if an internet service is accepted or not, so buyable fast lanes in the internet would influence the decision of the end users and discriminate other services.

In addition, special services would allow ISPs to reduce the extension of their networks because ISPs could ensure the quality of special services via traffic management while condoning the bad performance of the "rest internet".

I don't see demand for zero-rating because I don't want my internet service provider to decide for me, which internet service(s) I should use. "Zero-rating" influences end users to focus on the "free" services (which can only be offered by big and financially stable companies) and ignore the other internet services (like new startups without the necessary financial budget) and therefore again influences the decision of end users and discriminates the other not zero-rated services.

In addition, "Zero-Rating" usually occurs combined with limit data volume for other services and - as seen in the Netherlands and Slovenia

- disallowing "Zero-Rating" causes ISPs to provide higher data volume levels or a more moderate throttling after consumption of the included data volume and therefore leads to better service offers for end users.

No, ISPs should not be allowed to monitor my traffic or its content.

They should only be allowed to monitor the data amount (which does not require DPI) if the contract only includes a certain amount of data, but they must not even monitor the data amount for so-called flat-rate contracts.

My ISP should only be allowed to throttle my internet connection (not certain types of traffic) after the contractual agreed amount of data has been reached. By ISP must not be allowed to throttle or prioritise certain types of online traffic (i.e. discriminate between certain types of traffic).

I would accept a prioritisation mechanism which can be configured by myself with the "online customer service area", so that I can freely configure throttles/prioritizations on my own internet connections, as long as 1) the default setup doesn't include any prioritizations 2) I can reset to the default setup at any time 3) I am billed for prioritizations (if someone is billed).

This would ensure that prioritizations could not influence my usage/decisions (because they would be configured and maybe paid by me).

I would like to receive information about any traffic management measures (QoS, throttling, prioritisations), network address translations, interconnection/peering capacity and utilization over time, latency and packet-loss to destinations within the EU prior (!) to concluding the contract. Especially transparency on the interconnection/peering capacity would allow end users to choose ISPs with open peering policies not playing peering games like "sending party pays". BEREC should also monitor the peering situation more closely, because the current peering practices of some incumbents can be called a passive netneutrality violation. They disallow upgrades of congested interconnections to extract money from those peers sending more data (which the end users have requested).

Allowing these peering practices would lead to a blurry type of special service, where all traffic delivered via a certain interconnection is prioritized indirectly while traffic coming via other interconnections is throttled (and hence discriminated) indirectly.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Daniel Weber

Name: Robert Raven

Email:

Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed and quality, for a reasonable price. Like in other countries. More competition- now a virtual monopoly.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Robert Raven

Name: Jordan  
Email:  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The specialized services will become popular and allow for centralization of ideas and content. However, that limits freedom of choice, competition, and stifles would be contributors.

Is there a demand for specialised services? Which services should be allowed this special treatment? There are currently no services that require special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, what I do is my business alone. If they want information, they'll need to ask, send out an opt-in survey, etc.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All such information should be provided to the customer.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jordan

Name: patricia peterson  
Email: [b4u2@windstream.net](mailto:b4u2@windstream.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
patricia peterson

Name: BM Software Manfred Lutz  
Email: [manfred@bmssoftware.de](mailto:manfred@bmssoftware.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Positives kann ich nicht entdecken. Negativ wird sein, das die zusätzlich zu bezahlenden Spezialdienste immer mehr Bandbreite in Anspruch nehmen werden, so dass die normale Internetnutzung unzumutbar langsam werden wird.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Keine

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Niemals

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht, wenn die Bandbreite nicht ausreicht, müssen die Netze ausgebaut werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
BM Software Manfred Lutz

Name: David R. Burwasser  
Email: [daveburw@oberlin.net](mailto:daveburw@oberlin.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

I belong to a small religion, and I don't want the established churches hogging the bandwidth

Kind regards,  
David R. Burwasser

Name: Anna C Haugen  
Email: [anna@haugensgalleri.com](mailto:anna@haugensgalleri.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Internet access is a service that ISPs provide, delivering content to my door, just as a parcel service delivers physical packages. When I order something and it is shipped to me via FedEx, they don't get to decide "well, we don't like this type of shipment, so we're going to have it sit in our warehouse an extra week or so, to make sure all the stuff that we like better gets through first." When I order something on Ebay and they ship it via UPS, UPS doesn't get to decide "well, sure, they paid us to deliver this ... but Amazon pays us more, so we'll only deliver this AFTER all the stuff from Amazon." These things would be absurd. It is no less absurd to allow ISPs to do the same thing.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If certain services and online businesses can pay for priority content delivery, then the larger the business the more advantage they have. If two services are providing the same type of content, and one is always sloooooower than the other, most people will choose the faster service--even if it's not as good in other respects. Thus the established and already-profitable businesses have an even greater advantage over the innovators trying to break into the field than they otherwise would have.

Is there a demand for specialised services? Which services should be allowed this special treatment?

These days, internet infrastructure is robust enough that ISPs should be able to handle just about anything, and I can't think of any type of internet content that is both a) high enough priority that it deserves special treatment and b) needs huge amounts of bandwidth. I mean, things like online mental health hotlines would definitely rate preferential treatment if it were needed, but I can't think of anything they do that would require enough bandwidth to make it necessary. The services which might require greater bandwidth that I know of are things like games and movies/television--entertaining, certainly, but they function just fine now and are not any more important than, say, online shopping or chatting on message groups.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Nobody should be able to dictate what and how much legal content I consume based on their own profits.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not be able to interfere with my internet connection at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Anna C Haugen

Name: Chris Hendrickson

Email: [christopher.a.hendrickson@gmail.com](mailto:christopher.a.hendrickson@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Make valuable information hidden from public.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Chris Hendrickson

Name: Andrew H. Nielsen  
Email: [andynielsen669@gmail.com](mailto:andynielsen669@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If I had to pay more for Internet services, I probably wouldn't be able to even use much of the Internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

A negative impact of specialized Internet services would only encourage telecom companies to charge outrageous prices for people to use them.

Is there a demand for specialised services? Which services should be allowed this special treatment? If there really is a demand, I guess that video services should be the only ones allowed. But I want to make it clear that I am against specialization of Internet services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. To me, that would be a major violation of privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I would prefer zero interference.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

The only specific information I think I'd be interested in receiving is how the speed of my connection compares to that of other providers.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Andrew H. Nielsen

Name: Robin Garbe

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Robin Garbe

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Net neutrality is important and there should be no priority to a specialised service whatsoever. As not even Oettinger could name any it is obvious that this is just a statement to make the big players in that field even more powerful.

For me Zero rating pushes me to use a certain product when using mobile internet. For example I have a contract where Spotify used to be free data and it made me automatically use this instead of other software or apps.

I don't think this should be allowed

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Vanni Brusadin / Universidad de Barcelona

Email: [brusadin@ub.edu](mailto:brusadin@ub.edu)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

¿Debe permitirse a los proveedores de acceso a internet monitorizar tu tráfico, incluyendo su contenido (por ejemplo, mediante la inspección profunda de paquetes) para llevar a cabo la gestión del tráfico?

NO!

¿Cuánto debería ser capaz tu proveedor de Internet de interferir en tu conexión a Internet - por ejemplo, para ralentizar o priorizar determinados tipos de tráfico online (vídeo, P2P, etc.)?

NO DEBERÍA SER CAPAZ DE HACER NADA DE LO QUE SE MENCIONA

El Reglamento permite la existencia de servicios especializados únicamente bajo estrictas condiciones y garantías. El artículo 3(5) y la consideración 16 requieren que la optimización de los servicios especializados sea objetivamente necesaria para la funcionalidad de características clave de servicio. Este no puede ser el caso de servicios capaces también de funcionar en el Internet abierto, de entrega al mejor esfuerzo (best effort). Por otra parte, la consideración 16 impide que los servicios especializados sean utilizados como elusión de las normas sobre neutralidad de la red para la gestión del tráfico. Cualquier desviación de estas garantías de seguridad para ampliar la aplicabilidad del concepto de servicios especializados causaría inevitablemente un aumento de las barreras de entrada al mercado y por lo tanto debilitaría el potencial innovador de Internet en su conjunto.

La diversidad y la capacidad innovadora del ecosistema de Internet se basan en su bajo coste para la innovación y bajas barreras de entrada al mercado. Estos principios aseguran desde el primer día que toda empresa, start-up o servicio no comercial - sin importar su humilde tamaño o financiación - tenga el potencial de alcanzar una audiencia global de igual manera que sus competidores. Esta fuerza impulsora para la prosperidad y la diversidad de la economía online sólo puede asegurarse con un Internet abierto, neutral y no discriminatorio. Si se permite que los proveedores de Internet puedan interferir en las decisiones de sus clientes, mediante la discriminación económica o técnica, se pierde esta libertad esencial. De acuerdo con la consideración (1) del Reglamento sobre la neutralidad de la red, la legislación ha de ser interpretada a la luz de estos objetivos.

La transparencia no puede, según lo propuesto por la Comisión en su proyecto inicial del Reglamento y posteriormente rechazado, ser considerada un antídoto para los comportamientos anti-competitivos por sí sola. La transparencia tiene un alcance limitado en la solución de problemas, sobre todo en este contexto.

Si se autoriza a los proveedores de acceso a Internet a cobrar por el tratamiento preferencial, tienen un incentivo para dejar de invertir en la capacidad de red para el Internet "normal" y reducir sus límites de datos para empujar a sus clientes a utilizar cada vez más los servicios especializados. Este efecto sería perjudicial para las minorías, las personas desfavorecidas y las nuevas empresas que no pueden permitirse pagar por un acceso especial a todas las redes que les permita llegar a sus clientes, así como el desarrollo del ecosistema libre, abierto e innovador de Internet.

La discriminación económica (Zero rating) interfiere en mi derecho, en virtud del artículo 3(1), de acceder y en particular de distribuir información libremente. Si un proveedor de Internet discrimina entre proveedores de contenidos, aplicaciones y servicios haciéndolos desigualmente accesibles a través de su servicio de acceso a Internet está constituyendo una injerencia arbitraria en la esencia de mis derechos. Por otra parte, esta práctica restringe mis derechos en virtud de la Carta de los Derechos Fundamentales (artículos 11, 15(2), y 16). Por lo tanto, la discriminación económica no debe permitirse bajo las directrices del BEREC.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

Kind regards,  
Vanni Brusadin / Universidad de Barcelona

Name: Maxwell Scroggins

Email: [lgnlint@gmail.com](mailto:lgnlint@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Maxwell Scroggins

Name: MTII Inc.

Email: [jackgregory50@yahoo.com](mailto:jackgregory50@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
MTII Inc.

Name: Neil Freson  
Email: [nfreson@aol.com](mailto:nfreson@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Neil Freson

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

David Foucher

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

David Foucher

Name: gerrit woudstra  
Email: [gwo.woudstra@hccnet.nl](mailto:gwo.woudstra@hccnet.nl)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
zero

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
gerrit woudstra

Name: Kirman Taylor  
Email: [kirmant@gmail.com](mailto:kirmant@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Kirman Taylor

Name: Kenneth Johns  
Email: [kajohns55@yahoo.com](mailto:kajohns55@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

no

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

free and open communication.

Is there a demand for specialised services? Which services should be allowed this special treatment? emergency services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all of the above

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Kenneth Johns

Name: Andrew John Arrabaca  
Email: [andrew.arrabaca@gmail.com](mailto:andrew.arrabaca@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

"Zero-rating" seems like mindless clickbait.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Ultimately, moneyed interests would have undue influence on the internet, which should be highly democratic and egalitarian, just as they do in society at large.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Almost none, however specialized services for information may be important for people who are physically, intellectually, or developmentally disabled, because they might not be able to use the internet the way that the general public is able to.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Andrew John Arrabaca

Name: Sebastian Schmittner  
Email: [sebastian@schmittner.pw](mailto:sebastian@schmittner.pw)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Auf keinen Fall.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? gar nicht.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Sebastian Schmittner

Name: Steven Gaylord  
Email: [snakebellysg@gmail.com](mailto:snakebellysg@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference whatsoever.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Steven Gaylord

Name: Preetish  
Email: [preitsh@gmail.com](mailto:preitsh@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

some countries like india monitors and controls youtube videos of international artist making it difficult for them to watch the videos by putting ad , slowing down or even restricting the buffer .

Is there a demand for specialised services? Which services should be allowed this special treatment?  
negative

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No Negative

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Negative

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

everything and do security agency monitors the internet ? it should be anonymous totally

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Peter

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

No, no, no to infinity. The US government gave internet technology to these present providers. The providers agreed to providing internet service to certain designated areas for all its customers. They have not provided this and the government has not enforced it. The internet is there to provide service to its monopolized area customers plus a small profit just like public telephone service to the population. The internet and/or telephone industry was never meant to be commercialized. It is supposed to be for the common good of the country's citizens, not to make billions of dollars for a commercial entity.

My name/organisation:  
Joyce & Jerry Hansen

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

No "specialized services" should be offered ever. All ISP customers have the same service for the same price not "specialized service" for those who can afford the extra money it will cost them. "Specialized services" will limit access, competition, innovation and increases the power of the ISP monopolies.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

There can be NO "specialized services". If there is demand for "specialized services" they should not be considered "specialized services" but be provided to all customers of the monopoly ISP to all its customers for the same price. Without this, we would not have a free and open (not optimized) internet and lack the freedom we now have to make our own choices. "Specialized services" would bring the demise of our free /open internet, which is what happened to our free television that we used to have. Television is almost dead because of its monopolistic practices.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is NO Positive impact for ISP customers. Only a limitation of services and choice. The positive aspects of "Positive impacts" is more money, power, profits and control of customers and content for the ISP's, which would eventually lead to it's demise, just like television. Someone in the future will invent something better than the internet that is not monopolistic because the people. customers want freedom of choice and monopolies do not allow that. That is why it is so important to keep our internet open and free with no monopolies.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

Commercial practices already do limit my rights as an end user. ISP's are rich, strong, powerful

monopolies that try and do make their own rules, to their benefit, not their customers. No ISP customer can compete or use their rights even now. But, the purpose of the internet is/was to enable democracy and the ability to compete with one another openly. No ISP customer can compete with an ISP, but they should be able to compete.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No government, intelligence agency (including police, FBI, NSA, etc.) or ISP should ever be allowed to read, monitor any ISP customer content or data/transmissions (for any reason). If an ISP, government agency, contractor, etc. wants access, they should be required to get a warrant from a US court (judge not fisa) after they present specific evidence such warrant is necessary and the warrant should specify the information, evidence that they specifically will be looking for. No open warrants.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

There should be NO interference allowed. All internet connections and service should be equal for all. There should never be a prioritization or de-prioritization, period. ISP's should provide excellent service to all and every customer.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Yes, it is both limiting and discriminatory for everyone and should never be allowed!

What would you consider to be "reasonable" traffic management measures? How can "unreasonable" traffic management measures affect you as a users? Please, provide examples.

ISP providers should provide their customers with adequate infrastructure and technical expertise so that traffic management would never be necessary. This is what ISP profit is for, to improve infrastructure and services, not to just pocket all profits.

What information would you need to make an informed decision about your Internet connection?

For example: traffic management; commercial practices or technical conditions?

Traffic management, commercial practices or technical conditions are parameters and information that should be provided to customers by the ISP, as long as they don't violate any laws or net neutrality. ISP customers and their providers should work together using best practices.

What information would you like to receive about the speed of your Internet connection?

Anything about speed (upload, download, etc.) that might help me utilize speed and maximize it.

250kb of speed is what we are stuck with, with our ISP monopoly. I've heard some have as much as 2gb for speed. Monopolies don't provide that here.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

Yes, all parameters should be defined in the contract. It should be written in easy to read and understand language and have a way to contact a "knowledgeable" customer service representative that fluently speaks your native language.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Graham Denman  
Email: [graham.denman@gmail.com](mailto:graham.denman@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The internet and web opens doors between people to innovate and problem solve on a level not before seen by humanity. In the face of growing international concerns, like climate change, pollution control plus any number of other global issues, we must have an unimpaired open service for all to use freely.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any commercial practice that limits the exercise of individual users' rights online is counter to the original philosophy of the web and not acceptable.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All this information should be readily available to all.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I recognise video does need to have a robust and reliable stream and is data hungry so where possible this should have priority. However, data speeds will increase as technology advances so competing traffic should become less of an issue.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Graham Denman

Name: Elias Sonnek  
Email: [blade.elison@gmail.com](mailto:blade.elison@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Elias Sonnek

Name: Steven Belfield  
Email: [sbelfield158@yahoo.com](mailto:sbelfield158@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Steven Belfield

Name: Anita Posch  
Email: [anita.posch@gmail.com](mailto:anita.posch@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Es würde vermutlich so laufen wie bei Facebook. Mit Zero rating sieht man nur mehr die Inhalte der großen Anbieter, alles andere verschwindet unter einem Filter und Internetangebote von kleinen Anbietern oder Privatmeinungen haben keine Chance gefunden zu werden.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP sollen meine Internet Verbindung gar nicht beeinflussen dürfen.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Es sollte vergleichbare Standards geben bei Internet Geschwindigkeit, Up- und Downloadvolumen und Sicherheitsmaßnahmen. Nur dadurch ist gewährleistet, dass sich alle KundInnen ausreichend informieren können.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Anita Posch

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

*\*Please enter your name/organisation\**

Philipp Nowak

*\*Is there a demand for specialised services? Which services should be allowed this special treatment?\**

The Internet as it is can handle all services, there is absolutely no need to have a 'fast lane' for 'important' services. For government and medical use, which are often used as wrong examples, special lines *\*have\** to be installed, this is not normal usage. Additionally, there is high bandwidth Internet available, no need to prioritise anyone. 100 Mbit/s for example is sufficient for close to any important use case I can think of.

*\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\**

Strengthens monopolies, makes it really hard for independent and new parties to participate in competition. Companies already pay a lot for Internet connection, no need to allow individual ISPs to charge even more. There may be positive impact if bandwidth is strictly limited, which it is mostly not, but only on existing and established services with lots of financial resources and with negative impact on all other services. This reduces the openness of the Internet!

*\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\**

Assume a provider zero-rates only the services they are paid by and creates a 100MB data cap on everything else. Have fun watching videos on your friend's personal website when only big companies can pay for zero rating.

*\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\**

Metadata, but not content. Content includes HTTP headers, URLs and anything except IP addresses. Traffic should not be managed to prioritise some services.

*\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\**

They should be required to provide exactly the connection I pay for, no matter what I send through it. If my video is lagging, I will buy more bandwidth.

*\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\**

In advance to signing the contract, maximum bandwidth, mean bandwidth, bandwidth during times of high usage, latency, guaranteed uptime. Information about whether traffic is prioritised (which it should not be) and how more-paying customers get better service.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-

discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Tommy Dignan  
Email: [tdignan\\_123@hotmail.com](mailto:tdignan_123@hotmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

In a word, no. There are adblocks and antiviruses. There is no need for a "zero rating" system.

Is there a demand for specialised services? Which services should be allowed this special treatment? No services should be receiving special treatment because they are affiliated with big business. I couldn't care less about how much money you're making as long as you entertain me. If you honestly think that the internet should be more like cable television, you have the right to your opinion. But consider this, wouldn't it be cool if you could watch good stuff for free, and to create things without restriction imposed by a legal team, or a writing room staff. I mean, some may like that. I'm merely suggesting that sometimes you need to create whatever you want. fanfiction, reviews, whatever, and with an open internet, you can do that.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Well, we already know that it has desensitised people to things like racism and sexism. So I won't pretend that the internet as it is now is perfect. But with an open internet creativity is allowed to flow freer than anything else has in the past. For instance, I could conjure up a pilot to a sitcom, put it up on youtube, and I have an audience. I couldn't do that with television. I propose a question. Why would you forgo the opportunity to meet new, potentially great people online, no matter how safer it might be just to have big business protect you from them? The positives of the open internet far outweigh the negatives of the internet.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would only like to know how fast it goes, how transparent it is with my information. (I'm not exactly fond of the idea that someone is watching me, it's just unnerving.) And I would want the internet to just be left alone. I don't want it demonised, but instead, embraced. Yes, it's imperfect, most things are. But there are those who fear the future, and those who are open to it, and the latter usually prospers.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They shouldn't do any kind of throttling as this would be false advertising when an ISP (say Sky) say that they have the fastest internet. When in truth, they throttle you a lot. Ideally, the internet should work like water or electricity, nobody interferences with it, just have people pay for it. Like any other public service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP's should not be monitoring people without a search warrant, and even then, people who had a history of doing unsavoury things online. It's not exactly ethical for them to be given police like powers just so they could look through what I do online. What happens is my business.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Tommy Dignan

Name: Roy Freeman  
Email: [rvfreeman2@gmail.com](mailto:rvfreeman2@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't know, however it could limit my rights as as end-user!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would ultimately squeeze the little guy out, and end innovation for the new entrepreneur.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't know. Just keep everything equal.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed, and yes quality of service.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Roy Freeman

Name: Angel Poryazov - Poltargaista

Email: [angel@poryazov.com](mailto:angel@poryazov.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None! No one should be able to interfere with the connection.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Angel Poryazov - Poltargaista

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Kurt Netzer

Is there a demand for specialised services? Which services should be allowed this special treatment?

ONLY Emergency Service Organizations and Information and News Side in case of a Disaster happening

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Can't see any positive impact for specialized services on future innovations and openness of the Internet, except the two mentioned cases above

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

'Commercial practices' = 'earnings maximization for only a few people on earth'!

Human beings are in need of free access to air, water and ANY INFORMATION provided via INTERNET and only the direct INFORMATION PROVIDER - not the 'transport instance' (e.g. 1-/2-.../n-tier ISPs) - has a right to eventually claim some money for his INFORMATION services - 'transport instances' must therefor offer a flat rate services uniformly to all human beings!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO - it shall not be allowed for ISPs to inspect or monitor traffic!

Only on an aggregated level an ISP is allowed to install and operate ONE (1) byte-counter for only out- and in-coming traffic per second on each per interface!

The byte-counter values obtained shall only be used for network design, statistics and forecasts.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

NO throttling, NO shaping and NO prioritization of out- or in-coming traffic per interface shall be allowed!

Network design must use interface statistics and forecasts to assure non-saturated interfaces.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Up- and downstream Bandwidth

Error rate

Availability

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Ted Mann  
Email: [mannt067@gmail.com](mailto:mannt067@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Ted Mann

Name: Spencer Karter  
Email: [big\\_bubba\\_1985@yahoo.com](mailto:big_bubba_1985@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It could, I don't know how to explain it. But the internet shouldn't be controlled by police-state.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Positive: Freedom.

Negative: Being controlled by so-called Big Brother!

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't know.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Censoring the internet is 100% wrong, period!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Both

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Yes!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Spencer Karter

Name: Carol Woodruff  
Email: [carolaw41@aol.com](mailto:carolaw41@aol.com)  
Confidential: No

-----

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Don't understand what this means.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is no positive except for the companies bottom line, The negative would be to slow innovation and keep the general public from using the internet without buying their services.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
none

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I just want to know that I don't want to know that I don't have to spend a fortune to use the internet,

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Carol Woodruff

Name: Johan Oquendo  
Email: [himurazero@gmail.com](mailto:himurazero@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

¿Existe una demanda de servicios especializados? ¿A qué servicios se les debería permitir este tratamiento especial?

No existe una demanda significativa de servicios especializados.

Ningún servicio debe tener tratamiento especial o preferencial, esta tipo de práctica proporcionaría bases para conductas anti-competitivas.

There is not a significant demand for specialised services.

No service should have special or preferential treatments, this kind of practice creates grounds for anti-competitive behaviour.

¿Existe una demanda de "prácticas comerciales", tales como el Zero rating? ¿Limitarían éstas tus derechos como usuario final? Por favor, proporciona ejemplos si es posible.

No.

La única demanda por servicios de zero rating es la que se crea artificialmente a través de los esfuerzos de las compañías que lo implementan, al hacer uso de esta práctica están discriminando todo tipo de trafico que no esté cubierto, trafico que incluye, más no se limita a: sitios o servicios de pequeñas y medianas empresas, sitios o servicios de empresas que compiten con el proveedor del servicio, sitios o servicios prestados por personas naturales.

The only demand for zero rating is the one that is artificially created by the endeavours of the companies that implement it. by using this practice, companies are discriminating against all kind of traffic that is not covered, including but not limited to: SMEs sites or services, sites or services provided by rivals of the service provider, sites or services provided by individuals.

¿Cuánto debería ser capaz tu proveedor de Internet de interferir en tu conexión a Internet - por ejemplo, para ralentizar o priorizar determinados tipos de tráfico online (vídeo, P2P, etc.)?

Nunca, la compañía proveedora debe (como su nombre lo indica) limitarse a su función de proveer un acceso a internet independientemente del tráfico generado por el usuario. Una analogía similar sería un proveedor de servicio telefónico restringiendo el uso de máquinas de fax.

Never, ISPs should (as their name imply) limit its functions to provide internet regardless of what kind of traffic is generated by the user. A similar analogy would be a telephone company restricting the use of fax machines.

¿Qué información te gustaría recibir respecto a tu conexión a Internet, por ejemplo sobre la velocidad, calidad de servicio o cómo se gestiona el tráfico?

Velocidad mínima y máxima tanto de subida como bajada.

Reuso de la línea (sí aplica).

Tipo de red. Ejemplo: DSL, ADSL, VDSL, HFC, FTTH.

Limite de uso de datos.

Acuerdos comerciales que el proveedor contraiga con compañías de servicios por internet. Ejemplo: Google, Facebook.

Maximum and minimum upload and download speeds.

Reuse of the line (if applicable).

Type of network e.g. DSL, ADSL, VDSL, HFC, FTTH.

Data caps.

Comercial contracts that the ISP signs with internet service companies e.g. Google, Facebook.

¿Debe permitirse a los proveedores de acceso a internet monitorizar tu tráfico, incluyendo su contenido (por ejemplo, mediante la inspección profunda de paquetes) para llevar a cabo la gestión del tráfico?

No, Este tipo de actividad es una violación al artículo 12 de la declaración universal de los derechos humanos.

No, this kind of activity directly violates article 12 of the universal declaration of human rights

La diversidad y la capacidad innovadora del ecosistema de Internet se basan en su bajo coste para la innovación y bajas barreras de entrada al mercado. Estos principios aseguran desde el primer día que toda empresa, start-up o servicio no comercial - sin importar su humilde tamaño o financiación - tenga el potencial de alcanzar una audiencia global de igual manera que sus competidores. Esta fuerza impulsora para la prosperidad y la diversidad de la economía online sólo puede asegurarse con un Internet abierto, neutral y no discriminatorio. Si se permite que los proveedores de Internet puedan interferir en las decisiones de sus clientes, mediante la discriminación económica o técnica, se pierde esta libertad esencial. De acuerdo con la consideración (1) del Reglamento sobre la neutralidad de la red, la legislación ha de ser interpretada a la luz de estos objetivos.

La discriminación económica (Zero rating) interfiere en mi derecho, en virtud del artículo 3(1), de acceder y en particular de distribuir información libremente. Si un proveedor de Internet discrimina entre proveedores de contenidos, aplicaciones y servicios haciéndolos desigualmente accesibles a través de su servicio de acceso a Internet está constituyendo una injerencia arbitraria en la esencia de mis derechos. Por otra parte, esta práctica restringe mis derechos en virtud de la Carta de los Derechos Fundamentales (artículos 11, 15(2), y 16). Por lo tanto, la discriminación económica no debe permitirse bajo las directrices del BEREC.

Si se autoriza a los proveedores de acceso a Internet a cobrar por el tratamiento preferencial, tienen un incentivo para dejar de invertir en la capacidad de red para el Internet "normal" y reducir sus límites de datos para empujar a sus clientes a utilizar cada vez más los servicios especializados. Este efecto sería perjudicial para las minorías, las personas desfavorecidas y las nuevas empresas que no pueden permitirse pagar por un acceso especial a todas las redes que les permita llegar a sus clientes, así como el desarrollo del ecosistema libre, abierto e innovador de Internet.

El Reglamento permite la existencia de servicios especializados únicamente bajo estrictas condiciones y garantías. El artículo 3(5) y la consideración 16 requieren que la optimización de los servicios especializados sea objetivamente necesaria para la funcionalidad de características clave de servicio. Este no puede ser el caso de servicios capaces también de funcionar en el Internet abierto, de entrega al mejor esfuerzo (best effort). Por otra parte, la consideración 16 impide que los servicios especializados sean utilizados como elusión de las normas sobre neutralidad de la red para la gestión del tráfico. Cualquier desviación de estas garantías de seguridad para ampliar la aplicabilidad del concepto de servicios especializados causaría inevitablemente un aumento de las

barreras de entrada al mercado y por lo tanto debilitaría el potencial innovador de Internet en su conjunto.

La transparencia no puede, según lo propuesto por la Comisión en su proyecto inicial del Reglamento y posteriormente rechazado, ser considerada un antídoto para los comportamientos anti-competitivos por sí sola. La transparencia tiene un alcance limitado en la solución de problemas, sobre todo en este contexto.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

Kind regards,  
Johan Oquendo

Name: Rainer Bartesch  
Email: [rainer.bartesch@gmx.de](mailto:rainer.bartesch@gmx.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen

würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Rainer Bartsch

Name: Gregor Gorjanc  
Email: [grega986@gmail.com](mailto:grega986@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

/

Is there a demand for specialised services? Which services should be allowed this special treatment?

/

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Definitely not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all, all traffic must have the same priority!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Both.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Gregor Gorjanc

Name: Russell Winkler / LegalMatch  
Email: [russell.winkler@legalmatch.com](mailto:russell.winkler@legalmatch.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No rating system allows the freedom everyone using the internet is entitled to. Allow the internet to remain a 'level playing field' for all. The commercial practices of an ISP are inherently designed to benefit the ISP financially while restricting the user's rights to free expression and freedom of communication. Access to the internet should be available without compromise for all.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

No specialized service should be able to influence overall access and freedom to use the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment? A specialized, paid for service, which is accessed via the internet and is not part of the access to the internet or the ISP, does not compromise equal access to the internet. An example of a service such as Netflix or another paid for video service allows a user to pay or not pay for the service without direct impact on internet access.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All information should be available about the service I am paying for.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference. Just pay and have access.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Russell Winkler / LegalMatch

Name: Larisa Kai LeVeck  
Email: [klv42@gmail.com](mailto:klv42@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Larisa Kai LeVeck

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREK net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

No, no, no to infinity. The US government gave internet technology to these present providers. The providers agreed to providing internet service to certain designated areas for all its customers. They have not provided this and the government has not enforced it. The internet is there to provide service to its monopolized area customers plus a small profit just like public telephone service to the population. The internet and/or telephone industry was never meant to be commercialized. It is supposed to be for the common good of the country's citizens, not to make billions of dollars for a commercial entity.

My name/organisation:

Joyce & Jerry Hansen

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

No "specialized services" should be offered ever. All ISP customers have the same service for the same price not "specialized service" for those who can afford the extra money it will cost them. "Specialized services" will limit access, competition, innovation and increases the power of the ISP monopolies.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

There can be NO "specialized services". If there is demand for "specialized services" they should not be considered "specialized services" but be provided to all customers of the monopoly ISP to all its customers for the same price. Without this, we would not have a free and open (not optimized) internet and lack the freedom we now have to make our own choices. "Specialized services" would bring the demise of our free /open internet, which is what happened to our free television that we used to have. Television is almost dead because of its monopolistic practices.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There is NO Positive impact for ISP customers. Only a limitation of services and choice. The positive aspects of "Positive impacts" is more money, power, profits and control of customers and content for the ISP's, which would eventually lead to it's demise, just like television. Someone in the future will invent something better than the internet that is not monopolistic because the people. customers want freedom of choice and monopolies do not allow that. That is why it is so important to keep our internet open and free with no monopolies.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

Commercial practices already do limit my rights as an end user. ISP's are rich, strong, powerful

monopolies that try and do make their own rules, to their benefit, not their customers. No ISP customer can compete or use their rights even now. But, the purpose of the internet is/was to enable democracy and the ability to compete with one another openly. No ISP customer can compete with an ISP, but they should be able to compete.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No government, intelligence agency (including police, FBI, NSA, etc.) or ISP should ever be allowed to read, monitor any ISP customer content or data/transmissions (for any reason). If an ISP, government agency, contractor, etc. wants access, they should be required to get a warrant from a US court (judge not fisa) after they present specific evidence such warrant is necessary and the warrant should specify the information, evidence that they specifically will be looking for. No open warrants.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

There should be NO interference allowed. All internet connections and service should be equal for all. There should never be a prioritization or de-prioritization, period. ISP's should provide excellent service to all and every customer.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Yes, it is both limiting and discriminatory for everyone and should never be allowed!

What would you consider to be "reasonable" traffic management measures? How can "unreasonable" traffic management measures affect you as a users? Please, provide examples.

ISP providers should provide their customers with adequate infrastructure and technical expertise so that traffic management would never be necessary. This is what ISP profit is for, to improve infrastructure and services, not to just pocket all profits.

What information would you need to make an informed decision about your Internet connection?

For example: traffic management; commercial practices or technical conditions?

Traffic management, commercial practices or technical conditions are parameters and information that should be provided to customers by the ISP, as long as they don't violate any laws or net neutrality. ISP customers and their providers should work together using best practices.

What information would you like to receive about the speed of your Internet connection?

Anything about speed (upload, download, etc.) that might help me utilize speed and maximize it.

250kb of speed is what we are stuck with, with our ISP monopoly. I've heard some have as much as 2gb for speed. Monopolies don't provide that here.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

Yes, all parameters should be defined in the contract. It should be written in easy to read and understand language and have a way to contact a "knowledgeable" customer service representative that fluently speaks your native language.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Christine Koehler  
Email: [cioci0357@aol.com](mailto:cioci0357@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Christine Koehler

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Miriam

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals. The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Tom Rowe  
Email: [rowethomas7@gmail.com](mailto:rowethomas7@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I would have to pay more for more data because I would not be zero rated.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Special services will have an advantage .

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I am unsure.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Much information as possible, should be available .

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Tom Rowe

Name: klaus fischer

Email: [klausfischer.da@t-online.de](mailto:klausfischer.da@t-online.de)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no!!!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all (überhaupt nicht = auf keinen Fall)

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I would like to receive the mentioned information - at least.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
klaus fischer

Name: Dave Baron

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Never

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Dave Baron

Name: Alexander Amon  
Email: [alexander.amon84@gmail.com](mailto:alexander.amon84@gmail.com)  
Confidential: No

---

Dear Sir or Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Alexander Amon

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Sebastian Kussl

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Lothar Neumann  
Email: [ln-public@posteo.org](mailto:ln-public@posteo.org)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Manipulation des Verhaltens (unabsichtlich oder mit Vorsatz) ist nicht auszuschließen: Was "umsonst" ist, wird tendenziell mehr nachgefragt werden. Weitere Stärkung von Filterblasen. Behinderung des freien, unbeeinflussten Meinungs austauschs.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Unternehmen wie Regierungen und Behörden haben sich bezüglich Datensicherheit und Schutz der Nutzer vor Überwachung hinreichend disqualifiziert, um keine weiteren Befugnisse gestattet zu bekommen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Nur um die technische Bereitstellung zu gewährleisten bzw. unabhängig vom Nutzerverhalten zu optimieren. Einflussnahme aufgrund von ökonomischen Gründen ist abzulehnen, weil die Gefahr besteht, nicht im Sinne des Nutzers zu handeln.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen

wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Lothar Neumann

Name: Herman S. Simms, Jr.

Email: [hsimms49@live.com](mailto:hsimms49@live.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All!

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Herman S. Simms, Jr.

Name: Mikael Sjösten  
Email: [grynnan@grynnan.se](mailto:grynnan@grynnan.se)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Freedom

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Everything logged and scanned by my ISP and or law enforcement

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mikael Sjösten

Name: sharon powell

Email: [infinitee@boreal.org](mailto:infinitee@boreal.org)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
sharon powell

Name: Susan Douglas/Temple of the Spirit

Email: [sd3@hawaii.rr.com](mailto:sd3@hawaii.rr.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

don't know what zero rating means

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

what are specialized services?

Is there a demand for specialised services? Which services should be allowed this special treatment?  
?

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

if you're referring to content, none, don't completely understand question

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

?

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Susan Douglas/Temple of the Spirit

Name: Dorothy Wilkinson  
Email: [deegee43@gmail.com](mailto:deegee43@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all!

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Dorothy Wilkinson

Name: Steven Markgraf  
Email: [smgraf@yahoo.com](mailto:smgraf@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Steven Markgraf

Name: Eric Hydrick  
Email: [eric.hydrick@gmail.com](mailto:eric.hydrick@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Monitor yes, but no deep-packet inspection.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It's fine if done on a traffic-type level (i.e. all video, all music, all static pages, etc.), but not if throttling traffic from a specific source.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Eric Hydrick

Name: sharon byers

Email: [sibyers@gmail.com](mailto:sibyers@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

they will limit our rights

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

only negative

Is there a demand for specialised services? Which services should be allowed this special treatment?

no. nothing

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no, it is not necessary

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

minimally

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

nothing

Kind regards,  
sharon byers

Name: Leia Mahanay  
Email: [lmhn009@gmail.com](mailto:lmhn009@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No. It will limit my rights as an end user by leaving my speeds in the hands of others.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Leia Mahanay

Name: Joel Uckelman  
Email: [uckelman@nomic.net](mailto:uckelman@nomic.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There may be demand, but that demand is not from users. An ISP cannot know a priori how I will use the connectivity they provide. I happen to run a game server for a popular open-source virtual boardgame application (VASSAL). Were ISPs to zero-rate traffic for competing commercial game servers, our users would bear a cost they would not if they were using our competitors' game servers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Innovation on the Internet has always happened when tinkerers were free to try new things. Anything which makes that harder will slow innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? I can't think of any services which cannot be adequately handled with normal broadband capacity and routing.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. ISPs should provide connectivity. It should be up to me what I do with that.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

It can be devilishly hard to troubleshoot problems when you don't know what ports your ISP is blocking, how they're routing traffic, etc. Having this information would be very helpful.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the

potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Joel Uckelman

Name: Justin Michael Hayden  
Email: [justin.m.hayden@gmail.com](mailto:justin.m.hayden@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It discourages certain types of electronic behavior while encouraging others, from specific channels. Also, it just makes the internet frustrating as shit to use.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None. Any demand is artificial when there's more than enough computational power and bandwidth/throughput to go around.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

A report of my total data usage and average speeds/ping times.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None whatsoever. Everyone knows there's more than enough bandwidth and throughput to go around.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Justin Michael Hayden

Name: Anthony Arn  
Email: [tonyarn50@gmail.com](mailto:tonyarn50@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I should be able to easily check speed and quality of service and compare it to other services.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Anthony Arn

Name: Paul Ellcessor  
Email: [pvelljr@gmail.com](mailto:pvelljr@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Paul Ellcessor

Name: normand bureau  
Email: [tonormand@hotmail.com](mailto:tonormand@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No to zero ratings

Is there a demand for specialised services? Which services should be allowed this special treatment? Only business wants this.No one should have special treatment on the Net.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed and quality

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,

normand bureau

Name: Lyn Meyerding  
Email: [lyn@goomba.com](mailto:lyn@goomba.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Open Internet rules say that ISPs can't charge websites to be in the fast lane. ISPs have created another toll, zero rating, to get around this rule, they're charging websites to be exempted from customers' data caps. Data shows that users find zero-rated content more attractive than content that counts against their caps. If web companies want to compete with websites that pay, they'll need to enrol, for a fee, in an ISPs sponsored data program. This creates a new toll for data on the Internet. Startups, small companies, and non-commercial users may face huge barriers if they can't afford to pay new tolls, and no longer have a fair shot at reaching people online. These programs also create perverse incentives for ISPs to keep data caps low. The lower the caps, the more pressure on websites to pay up. These programs ultimately hurt Internet users like me who have to pay more, for less access to the internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Less access for startups and small companies. Slower internet access for end users. Whichever company, Netflix for example, pays the most, eliminates the competition by providing faster service. Great for the winner, not so much for the losers, and the rest of us who lost our choices.

Is there a demand for specialised services? Which services should be allowed this special treatment? There will always be demand for services that give an unfair advantage to the company willing to pay the most. No services should get special treatment unless they are emergency services that save lives. Anything else will leave room for cheating the system.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Lyn Meyerding

Name: Lamc Mario  
Email: [raikouneo@aol.com](mailto:raikouneo@aol.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Hell no!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
A great deal!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Lamc Mario

Name: Kathrin Lietz  
Email: [k.stark@gmx.net](mailto:k.stark@gmx.net)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Bei Recherchen werden kommerzielle Angebote in großen Mengen als Erstes angezeigt, bevor die normalen TOP-Suchergebnisse angezeigt werden. Neutrale Informationssuche oder Anbieterrecherche ist erschwert bzw. werden inzwischen kaum noch angezeigt. Inzwischen bin ich so gefrustet, dass ich die Werbeanzeigen überlese, danach die TOP-Homepages überfliege bis ich dann 1-2 neutrale Informationen finde. Der Informationsgehalt ist recht gering und es macht immer mehr den Eindruck, dass es neben den bezahlten Anzeigen und den TOP-Homepages nichts mehr gäbe

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Gezielte Beeinflussung der Bevölkerung in politischer/ gesellschaftlicher Meinung und Kaufentscheidung

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Definitiv NEIN

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Definitiv GAR NICHT

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit. Freier Informationszugang

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen

ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Kathrin Lietz

Name: jimmywise

Email: [fastdriver77@gmail.com](mailto:fastdriver77@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Does not sound correct and fair to me.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
jimmywise

Name: Harold Watson

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Harold Watson

Name: Devin  
Email: [defin\\_laffante@yahoo.com](mailto:defin_laffante@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There are already ways in which ISPs can charge you for certain services or track you when you attempt to learn about other ISPs. If a representative of an ISP tells you "we don't want to discourage any particular usage of content, media, and/or other online services" then they are lying to you for the sake of protecting their stocks, shares, and interests. The practices already in place already influence me to find the methods of viewing content, media, and other online services that will bring me the least trouble (including tracking and sending my data to companies that, despite my wish for my data to remain completely inaccessible, will be sold anyway for any sum.)

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The more that a company throttles, sells their user's data, takes things that do not belong to them, the more that products from major name-brand companies will make their way into peoples' homes, ones that will continue to sell every scrap of identity to others in order to make peoples' very brains sources of income without our say-so. We are not property. We do not deserve to be treated like cattle, we do not deserve for our ideas and desires to be expressed to anyone without our permission.

However, when there are services that openly list (without limitations) various products and services that, with no bearing or association with ISPs, developers, or sponsors, with complete details on everything about that product without withholding information or voluntary usage statistics (reviews, technical difficulties,) will make for a greater and more free market.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Traffic should never be monitored on an ISP's network unless automatic systems that catch illegal activities are employed--and they should not collect any other types of data except those that notify the systems that illegal activities are occurring.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. The fact that internet prices are so high already (unnecessarily) shows that there is an inherent greed in ISP companies that needs to be whittled to a (still) profitable but non-aggressive system. In this way, it will demotivate companies from throttling and disabling internet for people who depend on the internet to live their life or rely on it for their only source of entertainment.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

- Is my internet service going to be/being throttled in any way, shape, or form at any time?
- What is the TRUE speed of my download and upload?
- What is done about information regarding the traffic I give websites?

- What services have access to my information, internet usage, and search history, without my permission?
- Will my traffic, information, internet usage, search history, or any other information (without permission given) ever be monetized? Will it if I do give permission, despite desires expressed to keep it anonymous?
- Is the hardware provided to me able to access and/or provide all of my download/upload speed?
- Are there intentions to throttle my or others' internet speed now or in the future?

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Devin Lafferty

Name: Melinda Schneider  
Email: [melinda@zaske-meeg.de](mailto:melinda@zaske-meeg.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Melinda Schneider

Name: Michael Lauren DeSarbe

Email: [milauren@netins.net](mailto:milauren@netins.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I believe that these practices would most likely lead to limitation of rights (based entirely of past corporate motivations & practices), but I do not have an exact example at the moment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, Absolutely Not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Minimal; 5% at most.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Lauren DeSarbe

Name: Joseph Snowden  
Email: [trozz@ectmmo.com](mailto:trozz@ectmmo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
NONE.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Joseph Snowden

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Chris Noyes

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Florian Brenner  
Email: [f.brenner@gmx.net](mailto:f.brenner@gmx.net)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no demand for so called "commercial practices" because they will limit my rights as end-user.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The negative impacts will be less freedom of communication, less competition and less innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? I don't see any demand for such so called "specialised services", so there aren't any service that should be allowed this special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Florian Brenner

Name: Heidi Molano  
Email: [heidicmolano@gmail.com](mailto:heidicmolano@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Heidi Molano

Name: Isaac

Email: [lebron28@openmailbox.org](mailto:lebron28@openmailbox.org)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

¿Existe una demanda de "prácticas comerciales", tales como el Zero rating? ¿Limitarían éstas tus derechos como usuario final? Por favor, proporciona ejemplos si es posible.  
si

¿Existe una demanda de servicios especializados? ¿A qué servicios se les debería permitir este tratamiento especial?

A ninguno

¿Debe permitirse a los proveedores de acceso a internet monitorizar tu tráfico, incluyendo su contenido (por ejemplo, mediante la inspección profunda de paquetes) para llevar a cabo la gestión del tráfico?

no

¿Cuánto debería ser capaz tu proveedor de Internet de interferir en tu conexión a Internet - por ejemplo, para ralentizar o priorizar determinados tipos de tráfico online (vídeo, P2P, etc.)?  
nada

¿Qué información te gustaría recibir respecto a tu conexión a Internet, por ejemplo sobre la velocidad, calidad de servicio o cómo se gestiona el tráfico?  
velocidad, calidad de servicio y cómo se gestiona el tráfico

La transparencia no puede, según lo propuesto por la Comisión en su proyecto inicial del Reglamento y posteriormente rechazado, ser considerada un antídoto para los comportamientos anti-competitivos por sí sola. La transparencia tiene un alcance limitado en la solución de problemas, sobre todo en este contexto.

La diversidad y la capacidad innovadora del ecosistema de Internet se basan en su bajo coste para la innovación y bajas barreras de entrada al mercado. Estos principios aseguran desde el primer día que toda empresa, start-up o servicio no comercial - sin importar su humilde tamaño o financiación - tenga el potencial de alcanzar una audiencia global de igual manera que sus competidores. Esta fuerza impulsora para la prosperidad y la diversidad de la economía online sólo puede asegurarse con un Internet abierto, neutral y no discriminatorio. Si se permite que los proveedores de Internet puedan interferir en las decisiones de sus clientes, mediante la discriminación económica o técnica, se pierde esta libertad esencial. De acuerdo con la consideración (1) del Reglamento sobre la neutralidad de la red, la legislación ha de ser interpretada a la luz de estos objetivos.

La discriminación económica (Zero rating) interfiere en mi derecho, en virtud del artículo 3(1), de acceder y en particular de distribuir información libremente. Si un proveedor de Internet discrimina entre proveedores de contenidos, aplicaciones y servicios haciéndolos desigualmente accesibles a través de su servicio de acceso a Internet está constituyendo una injerencia arbitraria en la esencia de mis derechos. Por otra parte, esta práctica restringe mis derechos en virtud de la Carta de los

Derechos Fundamentales (artículos 11, 15(2), y 16). Por lo tanto, la discriminación económica no debe permitirse bajo las directrices del BEREC.

El Reglamento contiene normas muy claras sobre lo que constituye una gestión razonable del tráfico. De acuerdo con el artículo 3(3), toda la gestión del tráfico se debe hacer de manera agnóstica respecto a las aplicaciones, si es posible. La gestión del tráfico según la clase perjudica a la competencia; supone el peligro de dañar involuntariamente a aplicaciones específicas; puede discriminar el tráfico cifrado; crea incertidumbre para los proveedores de aplicaciones de contenidos y de servicios; frena la innovación; puede dañar a los usuarios individuales, y puede crear una sobrecarga regulatoria. Por lo tanto, la aplicación de la gestión del tráfico según la clase en situaciones en las que la gestión del tráfico agnóstica bastaría es innecesaria, desproporcionada, intransparente para el usuario y discriminatoria.

El Reglamento permite la existencia de servicios especializados únicamente bajo estrictas condiciones y garantías. El artículo 3(5) y la consideración 16 requieren que la optimización de los servicios especializados sea objetivamente necesaria para la funcionalidad de características clave de servicio. Este no puede ser el caso de servicios capaces también de funcionar en el Internet abierto, de entrega al mejor esfuerzo (best effort). Por otra parte, la consideración 16 impide que los servicios especializados sean utilizados como elusión de las normas sobre neutralidad de la red para la gestión del tráfico. Cualquier desviación de estas garantías de seguridad para ampliar la aplicabilidad del concepto de servicios especializados causaría inevitablemente un aumento de las barreras de entrada al mercado y por lo tanto debilitaría el potencial innovador de Internet en su conjunto.

Kind regards,  
Isaac

Name: Grace W Tiessen  
Email: [gracetiessen@gmail.com](mailto:gracetiessen@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

These could limit my rights

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I want a free and open internet

Is there a demand for specialised services? Which services should be allowed this special treatment?

No specialized services

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I live in Pasadena CA. The internet speed is awful sl 00000 w

I think everybody, everywhere should have extremely fast internet

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Grace W Tiessen

Name: Carl Howard  
Email: [littgrey@ix.netcom.com](mailto:littgrey@ix.netcom.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No!

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Among other things, a chilling effect on innovation and on freedom of speech and access, has no ethical upside. None.

Is there a demand for specialised services? Which services should be allowed this special treatment? Humanitarian or Emergency services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not in the least!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Perhaps a graphic presentation, such as a pie or bar chart.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Carl Howard

Name: Gary Gregerson/SEIU Local 1021

Email: [dmfeelings@yahoo.com](mailto:dmfeelings@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,

Gary Gregerson/SEIU Local 1021

Name: Matt Ezero  
Email: [ezero3056@charter.net](mailto:ezero3056@charter.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

As long as someone pays for Internet access, they should have free rein to visit any legal site they want without limitations. Specialised services would only have a negative impact on this.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None at all as far as I'm concerned.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, that is an invasion of privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. Throttling to give preferential treatment for certain websites should be illegal.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Matt Ezero

Name: Barbara Bailly  
Email: [sewjung14@gmail.com](mailto:sewjung14@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
0

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Barbara Bailly

Name: Lance J Konover  
Email: [oakenhelix@gmail.com](mailto:oakenhelix@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating, caps, throttling and such practices lesson the quality of the end user experience. I may not be able to use the site of my choice to access the information or content that I need to accomplish my objectives. If speed must be slowed, it should be slowed equally for all content.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

In a tiered internet system some content providers will inevitably be slighted although their product may be of high quality, and the end user may never know it.

Is there a demand for specialised services? Which services should be allowed this special treatment? I am unwilling to consider this "slippery slope."

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. It is very invasive, and traffic management is wrong in se.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Every packet should be treated equally.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I believe that all pertinent information should be available to the end user, a paying customer so that they may make informed choices about their provider and the site that they are accessing. Search engines also need to be transparent about how sites are chosen and ranked.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Lance J Konover

Name: Shirley Cason Jenkins  
Email: [cason.shirley@gmail.com](mailto:cason.shirley@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I am not sure and need more information.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Shirley Cason Jenkins

Name: Alex Kinkead  
Email: [saploerex@gmail.com](mailto:saploerex@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes, it can tip the scales in favor of the ISP's own services, reducing competition and limiting the rights of the end user by essentially forcing them to use their service or suffer the consequences.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It would stifle competition across the entire web, which would in turn cause many other markets to stagnate as the highest bidder can simply pay to have their services prioritized, preventing other businesses from taking off, or even stopping all the competition outright.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't believe that there's any reason for specialised services to be in demand, not is there any demand for them by consumers.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know just what is being seen by my ISP, and how/if/what is being throttled by them.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not! What I do online is my business, not theirs.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Alex Kinhead

Name: g parks  
Email: [gp459@yahoo.com](mailto:gp459@yahoo.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
g parks

Name: Megan Finnegan  
Email: [Irish.Love@gmail.com](mailto:Irish.Love@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no inherent demand for such practices, any apparent demand is induced by the introduction of such discriminatory practices. These would limit my ability to be a productive scholar and my ability to engage in collaborative scholarly activity with those from countries where these practices become common.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While it would be difficult to list any absolute positive or negative impacts as this is highly service type dependent, if services were prioritized by type, there could be a greater efficiency for usage, however any preference based upon economic status of the service plan would severely limit the ability of open academic collaboration and the progress of scientific advances.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not! ISP should be dedicated from maintaining the integrity of privacy, including within their own institutions.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

This should only be justifiable when data usage is presently (not potentially) interfering with connections of other users without regard to type of service package purchased or when necessitated for public emergency situations.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

In order to foster a healthy, competitive and innovative market, transparency of what the individual user has purchased (that is readily accessible) is essential. I personally would like to know my connection details as well as know how they compare to what I've agreed to purchase and the connections of current users of the system.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my ability to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Megan Finnegan

Name: David Rhoten  
Email: [therhotens@yahoo.com](mailto:therhotens@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Some monitoring of traffic for management purposes may be necessary, but not of content (deep packet inspection).

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
David Rhoten

Name: Patty Battaglio  
Email: [annabattaglio@ymail.com](mailto:annabattaglio@ymail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO!!

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Patty Battaglio

Name: Mike Seyfried  
Email: [mseyfriedjr@msn.com](mailto:mseyfriedjr@msn.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO!!!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
speed & quality of service

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Mike Seyfried

Name:

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Es würde zu einem 2 Klassen Internet führen.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Nur Lebensnotwendige Dienste.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Definitiv nicht!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Up- und Downraten, wer die Daten auswerten darf, wer eine Kopie der Daten erhält (BND), Traffic Management.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen.

Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
undefined

Name: Merchant Services Group LLC, USA

Email: [chaseholden@gmail.com](mailto:chaseholden@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely Not.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero Interference.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Merchant Services Group LLC, USA

Name: Sean Cody  
Email: [knockerana666@gmail.com](mailto:knockerana666@gmail.com)  
Confidential: No

---

Dear Sir / Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Sean Cody

Name: Andrew Feldman  
Email: [xoom64@hotmail.com](mailto:xoom64@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no consumer demand for practices such as zero rating. These only serve to limit fair competition and ultimately consumer choice.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No, none.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There can be no positive impacts for consumers. Specialized services serve only to stifle competition by setting an uneven playing field.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed, bit rate, latency.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

We pay for a service. ISPs should not be able to selectively degrade that service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, ISPs should respect our privacy.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Kind regards,  
Andrew Feldman

Name: TJ Brooks

Email: [tjbrooks2300@gmail.com](mailto:tjbrooks2300@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services will restrict both access and speed of the Internet to the mass of individual users.

Is there a demand for specialised services? Which services should be allowed this special treatment? As long as access by all is not adversely affected there could be no limitations on services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed and quality

Kind regards,

TJ Brooks

Name: Ron Giddings  
Email: [rand1625@charter.net](mailto:rand1625@charter.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Neg: restrictions on access

Pos: none for me and the concept of open access

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Not sure but would not bode well for the future of open access

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of that plus assurances that I am not and will not be restricted or throttled. also would like the government access be restricted to court supervised subpoena.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ron Giddings

Name: Philip Tobias Enterprises

Email: [philtobias@aol.com](mailto:philtobias@aol.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

I do not support allowing ISPs to monitor my Web traffic, such as with intrusive deep packet inspection.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Philip Tobias Enterprises

Name: Kevin Davis

Email: [kevin.davis56@yahoo.com](mailto:kevin.davis56@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, and yes.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No, and none.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Anything that I want to view.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Kevin Davis

Name: Nolan Worstell  
Email: [nolan.worstell@gmail.com](mailto:nolan.worstell@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, a zero rating can however influence which apps/services I use on my mobile device. This is relevant because when I am traveling using GPS and route planning software I can get close to my monthly mobile data limit and as such would almost be forced to use zero-rating apps/software or services to not exceed my data cap resulting in fines. This was previously not an issue when unlimited internet was readily available on mobile devices in the early 2000s.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

A potential positive of specialized services is that it could allow a 3rd party company to subsidize ISP network improvements without additional cost to the consumer. However, this is more likely to have the negative consequence of an ISP charging both the 3rd party company, i.e. Netflix, for a premium lane, but also still raising rates for the consumer citing the self-same network improvement costs in both cases. This is also disingenuous to the ISP's shareholders as it allows for arbitrary inflation of earnings which could evaporate if competition increases as the pricing would not actually cost determined.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No. It would be better for all services to be equally upgraded by network infrastructure improvements rather than site specific optimizations with no accompanying network infrastructure improvements that would tend to be favored by a specialized services approach.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to see a daily average upload and download speed with standard deviation to the top 5 most visited sites by users of the ISP. I would also like to see the daily average with standard deviation of the percent of packages dropped. Furthermore, I would like to see peak internet usage times by the ISP so that large downloads can be timed to off peak hours reducing ISP network loads and which types of traffic are prioritized based on time of day.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, an ISP should not be allowed to monitor traffic beyond records of where the traffic is coming from and where it is going. This specific provision is allow for traffic optimization and determining where interconnection speeds should be improved and not for person tracking.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

An ISP should not be able to prioritize internet traffic beyond ensuring that each subscriber currently using the service obtains bandwidth commiserate with the subscribers internet package.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Nolan Worstell

Name: Paul Pierot  
Email: [paul.pierot@live.com](mailto:paul.pierot@live.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

As mentioned before: ISP's should not be allowed to discriminate against their customers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialized services are just a way to punish the average user for not being able to afford them.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not. It is not the ISP's business or right to spy on their customers.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not be allowed to discriminate against their customers based on what type of traffic they generate. Period

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed Over Time and Your Speed vs. Average Speed would be useful.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Paul Pierot

Name: Holger Hänisch  
Email: [holger@haenisch.de](mailto:holger@haenisch.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Zero Rating führt zu Bevorzugung einzelner Zahlungskräftiger Dienste oder Anbieter. Ich möchte nicht das bei der Telekom nur Spotify bevorzugt wird.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Keine Sonderstellung für Spezialdienste! Schnelles Internet für alle Dienste!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Bitte keine Beeinflussung.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Quality-of-Service und Traffic-Management

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Holger Hänisch

Name: Michael Blachnik  
Email: [abnik@mayn.de](mailto:abnik@mayn.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Wer eh ein scheiß langsames Netz hat, braucht nicht obendrein noch irgendwelche Bremsen. Alleine gute Bilder benötigen heute eine guten Übertragungsleitung. Im Jahr 2016 kann es nicht sein, dass Downloads, verschlüsselte Übertragungen und sonstiger Internetverkehr, für sogenannte "Premiumdienste" begrenzt wird, einfach viel viel mehr superschnelle Netzleitungen schalten!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Jedwede Regulierung von Spezialdiensten, die ihrerseits eine diskriminierende Fast-Lane für Angebote einrichten würden, die normalerweise auf dem Offenen Internet erreichbar sind, muss vermieden werden, um die Freiheit der Kommunikation, des Wettbewerbs und der Innovation zu erhalten.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? never ever, mehr schnelle Leitungen!

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Never ever

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Never ever

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)? Alle!!! Informationen öffentlich bereitstellen

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Michael Blachnik

Name: robert

Email: [roboklop@hotmail.com](mailto:roboklop@hotmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

agree

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NO

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
robert

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Filip Björck

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: James R. Miles  
Email: [milesair561@bellsouth.net](mailto:milesair561@bellsouth.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Should not.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
As much information as possible.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
James R. Miles

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Jens Claaßen

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Kurt Gebbert, Herzogplatz 9, 85604 Zorneding, Germany

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen  
Kurt Gebbert

Name: nuno baptista  
Email: [nuno1959@gmail.com](mailto:nuno1959@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
duh !!!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
nuno baptista

Name: Fr. Stewart Wilber  
Email: [s.wilber@mindspring.com](mailto:s.wilber@mindspring.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It's driven by greedy corporations. They do not want spend money to build out their infrastructure to provide desperately needed improvement in capacity. Instead, they want to milk the current highly inadequate infrastructure for maximum profit with minimum service.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The internet is the last frontier of free speech.

Is there a demand for specialised services? Which services should be allowed this special treatment? Perhaps health and emergency services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not, especially with a fascist trying to become President of the United States. The secret police he would create almost immediately would just love that!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. It should function as a common carrier.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above. Corporate greed thrives on secrecy.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Fr. Stewart Wilber

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Dr. Alexander Sarras (Physicist)

Is there a demand for specialised services? Which services should be allowed this special treatment?

To (re-)categorise ANY kind of EMERGENCY service as "specialised" would probably make sense, beyond that nothing does ....

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

New monopolies, even "stealing" of intellectual property rights, by those capable of submitting (intercepted) data faster than the real inventor, etc...

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not so much a demand as a dumb-mand ... The revenue to finance the bandwidth used has to be generated somewhere. So to be a success in terms of commerce, the end-user has to be deprived of his possibility to choose other products .... go figure!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

definitely NO!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Non at all. I pay for a certain amount of bandwidth, even if I don't use it all at a certain moment in time, it's not my ISPs prerogative to redistribute an already paid for service to someone else. For the usage of "my" bandwidth I have the responsibility and knowledge on what to prioritise at what time!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Obviously speed and QoS, information such as round-trip time or similar at request. Immediate information if lagging or interruptions occur. BTW Speed is not a mean over time!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: James Quinn  
Email: [jimmyquinn@yahoo.com](mailto:jimmyquinn@yahoo.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

If there is a demand for commercial practices they should be ignored for the greater good.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Innovation would slow down as fewer people would feel the urge to contribute when commercial interests would be the main beneficiaries of innovations.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
James Quinn

Name: carlene dumont  
Email: [dumont5316@gmail.com](mailto:dumont5316@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

yes, these definitely would limit my rights as an end-user.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

never!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not ever be allowed to interfere with anyone's connection.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive info about everything related to my internet connection.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
carlene dumont

Name: Sven Rütz  
Email: [sven@daemonized.de](mailto:sven@daemonized.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Dienste die niedrige Latenzen benötigen Streaming, VOIP, Gaming, Monitoring, etc.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Wenn man von vornherein eine Technologie auf bestehendes beschränkt, verstümmelt man sie damit und erstickt innovative Ideen und Experimente im Keim.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Meine Daten gehören mir. Solange ich nicht festlegen kann wer welche Inhalte sehen darf und kann, gehen selbige niemanden etwas an außer mich und ggf. meine/n Kommunikationspartner

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte alles wissen. Ich möchte wissen welcher Traffic gefiltert wird, welches Gateway welche Pakete wie behandelt und warum.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Ein Provider stellt eine Leitung zur Verfügung. Welche Dienste wie darauf laufen dürfen sollten nicht reguliert werden. Das verhindert Innovation (bspw. das Ausprobieren neuer Technologien, die der Provider noch nicht bedacht hat).

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Sven Rütz

Name: Peißnitzhaus e.V. Verein

Email: [ulimoebius@gmx.de](mailto:ulimoebius@gmx.de)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Kostenloser Zugang zu Informationsseiten (Wikipedia). Allerdings wäre das die Verstärkung von Monopolen. Wenn es eine/ mehre Alternativen gäbe, würde ich sie nur mit Extrakosten nutzen können.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Einen Vorteil sehe ich nur bei Lebenswichtigen Übertragungen. Also Live-Operationen und Daten für Notdienste. Hier sollte man aber einfach extra Bandbreite schaffen, wie es in skandinavischen Ländern üblich ist. In allen anderen Bereichen wird wieder nur die Monopolbildung unterstützt und neue, innovative Dienste ausgebremst.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Vielleicht Live-Operationen und Daten für Notdienste. Hier sollte man aber einfach extra Bandbreite schaffen, wie es in skandinavischen Ländern üblich ist.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein. Meine Daten gehören mir.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Gar nicht. Welche Dienste ich wie schnell nutzen will, sollte nur ich entscheiden dürfen.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

ich möchte die echte Geschwindigkeit wissen. Dann Ping\_zeiten und ob meine Daten untersucht, verändert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es

ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Peißnitzhaus e.V. Verein

Name: Christine DeCarlo  
Email: [chd24@cornell.edu](mailto:chd24@cornell.edu)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? I think the rationalization is for maximizing profit not for providing real choice to the consumer. I've been through this type of training and they try to train you to tell customers they have a choice when they don't. To tell people they can pay less but have less access isn't a choice when there is increasing financial inequality in the world. Additionally, I appalled that the cost for them remains the same after upgrading their infrastructure yet they come up with the concept of different costs to the consumer. It seems like a gigantic scam. Businesses that don't realistically factor in the cost of doing business, which should include a living wage and benefits, shouldn't be in business or they need to scale their business back. I think the entire world has gotten greedy to the point of poisoning the planet and making wage serfs out of people and censoring freedom of information, speech, and thought.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I'm in favor of an open Internet especially for information purposes when commercial media is already censoring news and has manipulated an entire election in the United States.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating can be utilized to discriminate against certain businesses or prioritize others. I believe it is a limitation on rights as an internet end-user. Tremendous opportunity to manipulate the public.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Never

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I'd like the concept of not always getting less so the 1% can get more be something that is instituted. So information on speed/quality of service or management of traffic would help to prove that is happening I'm all for receiving that information.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Christine DeCarlo

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What is your understanding of the term "commercial practices"? Do you think there is a demand for "commercial practices" such as zero-rating, from the end users' point of view?

Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

My name/organisation:

Eric Paul Jacobsen

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliability) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

It is crucial that services that could be offered on the open, competitive internet are not re-categorised as "specialised services" for anti-competitive reasons.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

Specialised services should must not include regular content and applications readily available - or capable of being made readily available - across the Internet. It is especially important that content and applications that are available over the Internet access service are not recategorised - as this would result in the exact opposite of net neutrality.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

Any commercial practices which limit users' rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation. The Regulation aims to safeguard open internet access; commercial practices therefore cannot restrict free choice by prioritising a service or application over another. If a commercial practice creates disadvantageous conditions then it is not only a violation of user rights, but also of the core principles of economic competition.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

Practices such as deep packet inspection (DPI) undermine your right to privacy and go against EU

data protection and privacy rules. In fact, some experts argue that DPI is an invasive surveillance and censorship technology.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

The Regulation says that the objective of reasonable traffic management is to contribute to an "efficient use of network resources and to an optimisation of overall transmission quality", without the use of commercial criteria. If not properly clarified by regulators, providers could use this potential loophole to apply disguised commercial criteria to arbitrarily classify certain categories of traffic, in order to prioritise one category over another. This discrimination would undermine net neutrality, to the detriment of free speech, innovation and openness.

Would your freedom be limited if ISPs discriminated between online content based on their technical requirements like time sensitivity?

Reasonable Traffic management should not impede user choice. Quality and speed should remain consistent regardless of the type of content being accessed. ISPs cannot manage traffic in a way which would block, alter, slow or throttle access to any specific application, service or content. In short, discrimination should not be allowed.

What would you consider to be "reasonable" traffic management measures? How can "unreasonable" traffic management measures affect you as a users? Please, provide examples.

If companies interfere and restrict or limit access to specific points on the Internet, this will have an obvious impact on our freedom of choice and access to information. The Regulation clearly states that traffic management must be reasonable and only last as long as necessary. If congestion is sudden and temporary, traffic management can take place, but it must remain application-agnostic. If congestion is recurring, the operator should enhance its network capacity and must not rely on this exception.

What information would you need to make an informed decision about your Internet connection? For example: traffic management; commercial practices or technical conditions?

BEREC should require ISPs to use a common terminology in order to foster transparency about how traffic on their networks is managed. Your ISP should tell you concrete examples on how it manages traffic and provide information about how their traffic management practices are limited in time and scope and executed on a necessary and proportionate basis. Technical or legal jargon used in contracts must be avoided to ensure clarity. However, discriminatory behaviour does not become less discriminatory simply because the provider is "transparent" about it in the consumer contract. Transparency is only one of the criteria needed to ensure that you enjoy an unfettered access to the internet and you are not misled by your ISP.

What information would you like to receive about the speed of your Internet connection?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and

subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Eric Paul Jacobsen

Name: Robert Markovski  
Email: [Redhotsmasher@gmail.com](mailto:Redhotsmasher@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, the only demand for zero-rating is from companies who want to block the competition by having their services zero-rated rather than compete fairly in the marketplace.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No, I have not heard of any demand for this. This basically sounds like "fast lanes" hiding behind a fancy name, it basically sounds like "Well, fast lanes are now legal as long as these do not cause slow lanes", which is an oxymoron made up by politicians trying to make "compromises" between freedom and corporatism.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This would lead to slow lanes - I have as much right as any other customer to blast as much content up and down the pipes as my connection will handle, regardless of what that data is, and saying "Oh, but if we slightly limit this and this and this, we can improve this and this without actually upgrading our infrastructure" is a very slippery slope indeed.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all, see previous question. This is asking for slow lanes, and is therefore a very bad idea.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you

should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Robert Markovski

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Romedius Weiss

The Router should be under user control and allow such settings for the user. The ISP should only be allowed to limit the general throughput .

Up and down Link speed, policing methods

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Florian Westreicher COSEA e.U

Email: [Stuff@meredrica.org](mailto:Stuff@meredrica.org)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I cannot think of any demand for these measures from a consumer point of view. It only helps ISPs.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I don't see any positive impact of specialized services. It will hamper other, similar services and make innovation hard, if not impossible because newcomers will not have a fair market.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No there is no demand. It works now, why would it not work in the future?

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

The real speed, not the theoretical one. Information about which services or sites are specially handled, if any.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all. I paid for it after all.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Obviously no. It's an invasion of privacy and I pay for bandwidth that I want to use as I wish.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Florian Westreicher COSEA e.U

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

jan koci

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Ilse Willinger  
Email: [ilse.willinger.mentoring@aon.at](mailto:ilse.willinger.mentoring@aon.at)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Ilse Willinger

Name: David Zaccagnino  
Email: [davezackgmac@aol.com](mailto:davezackgmac@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any/all internet users should have the EXACT same rights and privileges.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

If ISPs want to provide faster internet "lanes" without any negative consequences upon those that do not pay to be "fast lane" users that would be totally fine.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
UNKN

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Yes, I would like to know as many aspects as possible about paid Internet service, such as speed, quality, and traffic management.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

There should be no "traffic management" by ISPs.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Absolutely NONE!!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
David Zaccagnino

Name: Kenton Lindley  
Email: [ken\\_kc\\_959@yahoo.com](mailto:ken_kc_959@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Kenton Lindley

Name: Michael Heinsohn  
Email: [ladysoorien@gmail.com](mailto:ladysoorien@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I see few positive impacts, negative impacts would include the stifling of innovation and the loss of business to smaller organizations, as well as a chilling effect on free speech.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No services deserve special treatment, excepting MAYBE specific emergency and government-related functions.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
As little as possible.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All of the listed datapoints would be things I'd like to see.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Heinsohn

Name: robert gerosa  
Email: [rljgerosa@aol.com](mailto:rljgerosa@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
0%

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
robert gerosa

Name: Bart van der Drift  
Email: [bartvanderdrift@gmail.com](mailto:bartvanderdrift@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No demand

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Bart van der Drift

Name: Nils Ehnert  
Email: [nils@ehnert.de](mailto:nils@ehnert.de)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
of course, not!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
in no way

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
total transparency!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Nils Ehnert

Name: Kristie Bircumshaw  
Email: [kristie.bircumshaw@gmail.com](mailto:kristie.bircumshaw@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Kristie Bircumshaw

Name: Jens Brandt  
Email: [mail1@jens-brandt.de](mailto:mail1@jens-brandt.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Kommerzielle Praktiken benachteiligen bestimmte Inhalte. Das widerspricht dem Grundsatz der Gleichbehandlung der Daten hinsichtlich der Art bzw. Geschwindigkeit der Übertragung.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, die Privatsphäre muss geschützt werden.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? In keinsten Weise. Es müssen alle Daten hinsichtlich Übertragung gleich behandelt werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Jens Brandt

Name: World Digital Photography

Email: [awgilmore@yahoo.com](mailto:awgilmore@yahoo.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, monitoring is an invasion of privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The internet should be treated as a public utility - companies should not be able to control your usage arbitrarily based on their set of rules.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
World Digital Photography

Name: JMC Productions  
Email: [cleeks@prodigy.net](mailto:cleeks@prodigy.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
JMC Productions

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Peter Mayr

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

I don't see any necessity for special treatment if services.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Special services could stifle innovation, e.g. a video start up finds it harder to enter a market where another competitor has already bought a "fast lane" from providers

\*Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

This could lead to unfair competition (e.g. one music streaming provider has an agreement with a certain telco provider and therefor an advantage)

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

The ISP should just provide the infrastructure but not interfere with the traffic

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

All of the above

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: kev clarke  
Email: [kevpc49@gmail.com](mailto:kevpc49@gmail.com)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

only by the various ISPs for their own services. they limit every users rights and restrict all traffic except what the ISP deems it wants to allow.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

positive only to the ISP that uses it. negative to all innovation and services other than those of the specific ISP

Is there a demand for specialised services? Which services should be allowed this special treatment?  
i dont think so and no service should get specialised treatment

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NOT AT ALL

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

all 3, particularly with the traffic management. there is no need for that at all! it is only a way to allow the ISP to slow traffic down. it does nothing at all to increase the speed of other users.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context. Please remember, the Internet is the best communications medium invented so far. It should never be used just for advertising and it should never be monitored for usage by ordinary users. If there is a genuine suspect, then properly targeted surveillance may be necessary, but not always, even in these circumstances

Kind regards,  
kev clarke

Name: Thomas Dejonghe

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I think there is a demand for these kind of "commercial practices" from the already established publishers and web services on the Internet, because it would make it harder for newcomers to compete since they have less negotiation power with the ISP. A startup-company that provides its services over the internet would immediately be at a disadvantage to other already existing corporations that have a "zero-rating contract" with most of the ISPs. On top of that, zero-rating puts an ISP in a powerful position to enforce a policy of what you could coin economic censorship. I hope I don't have to explain how this limits the rights of the end users. As a comparison: a library doesn't charge more to access a certain book compared to another just because it was published by a different publisher.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There could be a positive impact on future innovations because it allows for methods to provide Quality of Service (QoS) for various time critical services such as Voice over IP (VoIP), gaming and other entertainment, while still maintaining decent connectivity for other users accessing regular webpages. This could benefit all the users of an ISP. There could however be a negative impact on the openness of the Internet when these possibilities are used to provide additional qualities to these kind of services, selective of the corporations that are providing the service. This would make it harder for end-users to consult certain types of content and would therefore have a negative impact on consumers' rights.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I think that from an engineering perspective there is a demand for specialized services because certain services require more resources from the network such as VoIP, video conferencing, online gaming... than other services such as regular web browsing. From that perspective it makes sense to have specialized services for real time services such as VoIP, video conferencing and online gaming.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, various transport protocols such as TCP have been designed to manage the traffic and avoid network congestion. Although these protocols aren't necessary flawless, I'd rather not have ISPs providing an "improved" service by monitoring my traffic. Not even looking at the headers of the various protocols (metadata on the content) apart from what is necessary to route the packet through the network (not manage the traffic!), since this possibly already reveals a lot of information about what the user is doing such as what web page the user is looking at, which application(s) the user is using, ...

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I think that the ISP should not interfere at all depending on the types of online traffic. They could however develop routers to be put in homes/offices and used as gateways to the Internet with the possibility of configuring them to provide these kind of services. As such the throttling or prioritizing happens before the traffic enters the network of the ISP and the user can decide for him/herself how this should be done. These routers could be preconfigured with the policies of the ISP. One final note: make it user friendly please...

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

The average available upload and download speed on various times throughout the day. The percentage of time the network is down. Whether you get a fixed or dynamic IP-address assigned. What traffic is prioritized and in which order. An easily understandable version of the quality of service in order to get an overview of what you can expect. What kind of packet inspection is being done. What information about my traffic is being stored and for how long.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Thomas Dejonghe

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Paula Stibbe

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Michael Bankare  
Email: [michael.bankare@gmail.com](mailto:michael.bankare@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Ofc not!

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Michael Bankare

Name: Oliver Krüger

Email: [savetheinternet.eu@oliverkrueger.de](mailto:savetheinternet.eu@oliverkrueger.de)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero-rating practices ultimately only helps big players to stay big and keeps small players small. This regulation is not helpful if you want innovation on a society level.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Higher prices for unfiltered internet access. Partitioning of the internet (disconnecting certain groups from certain parts of the net).

Is there a demand for specialised services? Which services should be allowed this special treatment? From the consumers perspective there are only disadvantages for specialized services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Under no circumstances the ISP should be allowed to look into the traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP should treat all traffic equal (best effort).

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I wish there would be no need to know anything one's Internet connection. It should always be unfiltered, neutral and as fast as possible.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Oliver Krüger

Name: Arsham Skrenes  
Email: [gautomated@gmail.com](mailto:gautomated@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

My monthly fees are based on the ongoing cost of network upgrades. Zero rating is always a "perk" to a premium service that congests the network paid for in a larger percentage by base users. This is unfair and anticompetitive.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

The appeal and power of the Internet is its openness. Anything short of that is destroying what is and what will be, however enticing it may appear in the short term.

Is there a demand for specialised services? Which services should be allowed this special treatment? None whatsoever.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Absolutely not! If realtime services like VoIP are suffering, upgrade the network! This is 2016, not 1996.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Absolutely none at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed. Network congestion (in percent of total capacity). Traffic should never be managed besides dropping packets when routers are overloaded, treating all packets equally.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Arsham Skrenes

Name: John Gunn  
Email: [JohnGunn@johngunn.com](mailto:JohnGunn@johngunn.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

zero-rating is just another process whereby certain types of traffic get preferred treatment. It should be banned.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Let customers do whatever they want and stay out of trying to control what they may and may not send. Do not try to mess with this basic free and fair approach. You'll only interfere with the natural growth of the internet to a medium which serves customers like me in the way they wish to be served. It's really not that difficult.

Is there a demand for specialised services? Which services should be allowed this special treatment? Please save us from "specialised services" which will always be abused to become hidden ways for service providers to squeeze more and more money out of customers like me.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should have absolutely no control over the content of messages that I send.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Speed and response time are significant, But, if "quality of service" are fancy words to describe tricks which allow some customers to get preferred treatment while others suffer, I'm against all of them.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by

economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
John Gunn

Name: Brandon Jacobsen  
Email: [Bjacobsen821@gmail.com](mailto:Bjacobsen821@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
I do not believe that there is a demand for specialised services. If any services should be allowed special treatment, it would be those with the highest use. But not at the expense of slowing down other less popular sites.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

To my understanding, this is an invasion of privacy. Unless the goal is organisation and speed, I do not agree that my traffic should be inspected.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

My ISP should not be able to prioritise my online traffic. All websites should be equal, anything less is a restriction of Internet freedom.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

100% of my speed, quality of service and traffic management should be available to me at any time. When I pay my Internet service provider, I expect full freedom and disclosure of this information.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Brandon Jacobsen

Name: Larry Barker

Email: [barkode52@sbcglobal.net](mailto:barkode52@sbcglobal.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Larry Barker

Name: Alasdair Edom  
Email: [alasdairedom@gmail.com](mailto:alasdairedom@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Alasdair Edom

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name: Herbert Gnauer

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Herbert Gnauer

Name: Jean-Yves Toumit  
Email: [saiolar-c@yahoo.fr](mailto:saiolar-c@yahoo.fr)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. This is an obvious privacy violation. And every single bit should be relayed the exact same way.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jean-Yves Toumit

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Christopher Müller

Companies only want to make money. There is no other reason ...

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Reinis S

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Hattinger Gerog  
Email: [hattingg@gmx.at](mailto:hattingg@gmx.at)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Hattinger Gerog

Name: Jim Simpson  
Email: [jihesi@personal@gmail.com](mailto:jihesi@personal@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There's a demand, yes, but they also inevitably mean that, to recoup the loss of "zero-rating" something, they throttle the total data cap elsewhere. If you must allow zero-rating, allow it by filetypes rather than by companies or businesses. Don't zero-rate Netflix, zero-rate videos, for example. Much more expensive, but not anywhere near as liable for abuse. And they don't HAVE to have zero-rating policies anyway.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Basically, we'd have internet monopolies. It'd stop being a place where some random guy could make a startup, and start being the place where the companies in power stay in power and consolidate it, and there's no innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't think there's anything that objectively needs a faster speed. If you're going to do it for a video, why limit it to just that, when, short of downloading a large file, nothing else is particularly big?

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Definitely not. There are legitimate reasons to monitor traffic (statistical analysis, in certain cases security, though that one's the government's purview, and this should be done as anonymously as possible), but traffic management is not one of them.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I think they should only be able to interfere by repairing damaged lines, basically. If the internet goes down, interference is fine to bring it back up, but everything should be at the same speed. Not filetypes, not websites, not companies should be criteria to discriminate. Smaller filetypes will not use as much because they're smaller, so that's fine.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

The actual speed I can expect to get in daily use, rather than the (seemingly) entirely unrelated speeds they advertise at.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jim Simpson

Name: Brad Jones  
Email: [bradly\\_jones@hotmail.com](mailto:bradly_jones@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
More innovation

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Yes! All services!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Never

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Brad Jones  
Name: Brad Jones  
Email: [bradly\\_jones@hotmail.com](mailto:bradly_jones@hotmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
More innovation

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Yes! All services!

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Never

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Brad Jones

Name: John Osbourn  
Email: [jowolf359@gmail.com](mailto:jowolf359@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No ISP should be able to monitor any traffic

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISP's should provide full traffic at the price paid, data caps must be removed

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
John Osbourn

Name: Denis Kinze

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Denis Kinze

Name: Carolyn Weaver  
Email: [ckweave@gmail.com](mailto:ckweave@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Carolyn Weaver

Name: Cheryl Dixon  
Email: [cheryl8131@att.net](mailto:cheryl8131@att.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Cheryl Dixon

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Thomas Buck

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Ronald Le Brane  
Email: [rlebrane@gmail.com](mailto:rlebrane@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ronald Le Brane

Name: Petter Ramme  
Email: [petter@rammes.se](mailto:petter@rammes.se)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

They would steer me to use the preferred application, by giving some services competitive advantages.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

People would not try new things, since they are priced out, and the access to them are slow when they perform traffic shaping. So you would end up with monopoly situations on the Internet.

Is there a demand for specialised services? Which services should be allowed this special treatment? Governmental services, to give people access to the government's services. NOT governmental interservices, or controlling possibilities.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Traffic shaping done on my traffic

Speed

Quality

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

none

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Petter Ramme

Name: Mike JA  
Email: [mja@use.startmail.com](mailto:mja@use.startmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

It creates a bias for a particular service, like one of the movie streaming services that I can think of, and therefore potential to create a prioritised, 'monopoly' for some services

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No way!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None!

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mike JA

Name: Anne-Careen Engel

Email: [engela@gmx.com](mailto:engela@gmx.com)

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. "Kommerzielle Praktiken" wie z.B. das ZERO Rating werden meine Arbeitsmöglichkeiten als Freiberuflich Selbstständige extrem benachteiligen gegenüber denen großer Firmen !!! Der Mittelstand in Deutschland und Europa ist sowie durch vielfältige Gesetzgebung extrem benachteiligt und darum mehr und mehr am aussterben. Das ist sehr ungerecht, fördert immer wieder die eh schon Großen und ist gefährlich für unsere Demokratie !

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
da kenne ich mich nicht aus

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
weiß ich nicht

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
gar nicht

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Alle zugänglichen

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass

Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Anne-Careen Engel

Name: Women in Arizona  
Email: [flagstaffliz@gmail.com](mailto:flagstaffliz@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not much

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Women in Arizona

Name: jovinita meisenbach

Email: [jovinita@gmail.com](mailto:jovinita@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Not sure about this.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I am hoping my internet will not get any worse than it is now.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

I already get interference from my cable company I don't want any more interference.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
jovinita meisenbach

Name: Jan-Henrik Walter  
Email: [jan-henrik.walter@web.de](mailto:jan-henrik.walter@web.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No, I am not aware of any examples.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I am not aware of any substantial positive arguments for specialised services on the Internet. Currently we are not aware of any service that needs that kind of exaggerated speedboost on cost of other internet users. To spin it really far: At some point we will connect our brains to the internet. For live-information-exchange and processing a big bandwidth will be needed in addition to a fail-proof and lag-free connection. This kind of fail-proof network could get a higher priority over other traffic. On the otherside ISPs should get into the need, to build these kind of fail-proof networks by investing in the overall infrastructure - they will not invest that much in the overall infrastructure however, if they just could sell the existing bandwidth for an even higher profit.

Additionally specialised services will shrink the overall market, with a lower chance for competitive start-ups to succeed versus established specialised services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not be able to interfere with my internet connection. Internet connection could be treated as an basic human right for living. To take one of these rights away, should need confirmation of a judge in any case.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every

enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Jan-Henrik Walter

Name: Holger Junge  
Email: [holger.junge@mail.de](mailto:holger.junge@mail.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. ISP kann Seiten unattraktiv machen (sehr langsamer Seitenaufbau) -- Manipulation; ISP kann nichtkommerzielle Angebote so weit ausbremsen, dass er sie faktisch blockiert; ISP kann somit beeinflussen oder steuern, welche Informationen zu mir gelangen;

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Negativ: Wohlhabene Anbieter werden evtl. nur noch abrufbar -- Anbieter ohne Kapital oder Geld werden dadurch benachteiligt und evtl. ausgeschlossen

Negativ: Gefahr für Informationsfreiheit und Demokratie!

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Netzneutralität und Informationsfreiheit haben Vorrang. Daher kann keinem Dienst eine Sonderstellung zugebilligt werden.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Geschwindigkeit, Quality-of-Service und Traffic-Management

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese

treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht dieser Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystems.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Holger Junge

Name: Billy Lansdell

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Just a way to charge more.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Gbit cost.

Is there a demand for specialised services? Which services should be allowed this special treatment? If there all fast what's the point.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No-now quit being greedy !

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None I pay for my data.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Billy Lansdell

Name: Thomas F. Schmitt  
Email: [tfshmitt@posteo.de](mailto:tfshmitt@posteo.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,  
Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen. Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Thomas F. Schmitt

Name: Martin Pucher  
Email: [martin.pucher@gmail.com](mailto:martin.pucher@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

For sure!

I don't want to need to think about which services I use how often, why should this be necessary?

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

It can be misused. Who decides which traffic is "better" and which not? It will depend on who pays the most for sure which will not be fair at all....

Is there a demand for specialised services? Which services should be allowed this special treatment?

For sure. I think each big company would like to gain advantage of fast lanes...

I can't think of any service which is really in need of this service.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, not without permission by a judge in case of criminal activity.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No throttling at all....

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

It would be good to be able to check these parameters online.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Martin Pucher

Name: Jack Milton  
Email: [nospray@omsoft.com](mailto:nospray@omsoft.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Jack Milton

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:  
Siegfried F. Kerle / KERLE ENERGIEBERATUNG

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:

Robert Mundal Axelsen

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Efthymia Fachouridou  
Email: [faxour1@hotmail.com](mailto:faxour1@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals. The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Efthymia Fachouridou

Name: Florian Abensperg-Traun

Email: [florian.traun@gmail.com](mailto:florian.traun@gmail.com)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes it could

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, they should not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not interfere at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Everything

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Florian Abensperg-Traun

Name: tia pearson  
Email: [tia.pearson@gmail.com](mailto:tia.pearson@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
none

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
tia pearson

Name: Martina Riehm  
Email: [Martina.Riehm@gmx.de](mailto:Martina.Riehm@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich möchte nicht an einen Anbieter eines Dienstes, z.B. Streaming oder E-Mail, gebunden sein, oder dass mein Provider das für mich entscheidet.

Gerade im mobilen Bereich sind Kontingente klein, da wäre zero Rating ein unfairer Wettbewerbsvorteil.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Sie werden zu einer weitergehenden Konzentration und Monopolisierung führen, so dass es pro Dienst nur noch einen Anbieter geben wird.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Interessant wären Sonderkanäle, um Störungen melden zu können, oder um in Krisensituationen Bandbreite für Information und Koordination zu haben, ähnlich wie Priorisierung bei GSM-R.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, er soll die Daten nur weiterleiten.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? QoS könnte sinnvoll sein, aber nur nach Datentyp (Streaming) und nicht nach Anbieter. Am besten manuell einstellbar.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte wissen, wenn es irgendwelche Priorisierungen gibt. Vor allem möchte ich diese dann auch ändern können.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es

ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Martina Riehm

Name: Gaius Poehler  
Email: [gaiuslove@yahoo.com](mailto:gaiuslove@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
All info.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Gaius Poehler

Name: Mona Harding/fightforthefuture.org

Email: [monaharding@gmail.com](mailto:monaharding@gmail.com)

Confidential: No

-----

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes. This gives too much power to ISP companies to limit what content is available to the consumer because the consumer is often unable to pay for access to certain sites. This can lead to censorship.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Specialised services should offer additional bandwidth and not reduce it from other services.

Is there a demand for specialised services? Which services should be allowed this special treatment?

None should be allowed special treatment.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

They should not be able to interfere at all! They should instead keep developing technology to make connections faster and able to handle larger amounts of traffic.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know all of the above, in addition to whether my browsing or viewing habits are being monitored for any purpose whatsoever.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mona Harding

Name: Detlef Bassing  
Email: [pc-service-bassing@web.de](mailto:pc-service-bassing@web.de)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

None!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

freedom is our third urgent thing just the same like life itself and health - DON'T TAKE IT AWAY

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

No - just simply NO!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

not in any way - i get what i pay for ...hmmm, ok, i would like to get what i pay for because it's still somehow slow here in the villages outside crowded areas

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

All 3

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? hmmm, in case that they might easier know when they can kiss my ass?

Hell no! In fact i don't need a big brother watching me!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

mit freundlichen Grüßen,  
Detlef Bassing

Name: Benjamin Scheu  
Email: [benjaminscheu@web.de](mailto:benjaminscheu@web.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Nein es gibt keinen Bedarf!

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?  
Spezialdienste beeinflussen den Markt künstlich wobei eigentlich bessere Anbieter untergehen weil Sie eben keine Spezialdienste für Sich in Anspruch nehmen können/wollen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Garnicht!

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Mein Internet-Provider sollte mir die durchschnittliche Übertragungsrates meines Anschlusses ebenso mitteilen wie die höchste und niedrigste Rate, und das in einer benutzerfreundlichen Weise, zum Beispiel in einem Diagramm oder einem Musterbild.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Benjamin Scheu

Name: Doris Rottensteiner  
Email: [dorisrottensteiner@gmx.at](mailto:dorisrottensteiner@gmx.at)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Doris Rottensteiner

Name: Axel Kirch  
Email:  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Firmen, die finanziell besser gestellt sind, können ihre Dienste leichter anbieten, und damit nicht unbedingt diejenigen Anbieter mit den innovativsten Ideen und Konzepten.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Medizinische Datenübertragung und solche bei Katastrophen und Unfällen, bei denen es um Menschenleben und Gesundheit geht.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Ich möchte unterschiedliche Wahlmöglichkeiten von einem allgemeinen Überblick bis hin zu größtmöglicher Transparenz durch detailliert aufgeschlüsselte Logs haben.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, vor allem keine DPI

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Kein Einfluss, sofern es nicht um die Gesundheit oder das Leben von Menschen geht.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von

Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

mit freundlichen Grüßen,  
Axel Kirch

Name: Ethan Shoemaker  
Email: [ruarcmail@gmail.com](mailto:ruarcmail@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, the people have a right to privacy if they are not the suspect of serious crimes

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

None at all, the internet shouldn't be throttled for anyone nor by anyone

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Ethan Shoemaker

Name: Christopher Letterle

Email: [lieutenantcommander.christopher@gmail.com](mailto:lieutenantcommander.christopher@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

In my case no, that's invading my privacy on what sites I go or visit or I give out personal info like buying things.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Christopher Letterle

Name: Lukas Schweitzer  
Email: [lukas@schweitzer.or.at](mailto:lukas@schweitzer.or.at)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN, u.a. wegen Datenschutzbedenken!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Lukas Schweitzer

Name: Maritta Strasser  
Email: [stasser@campact.de](mailto:stasser@campact.de)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I have no demand for that. It interferes with my right as an end-user.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I see no positive effects of so called specialised services - its just making more money out of something we called internet before.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
no

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No he shouldnt! This interferes with my right to privacy.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I wish to have access to every information the provider has.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Maritta Strasser

Name: Just my opinion  
Email: [Paul33436@gmail.com](mailto:Paul33436@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Any commercial practices which limit user’s rights to free expression and freedom of communication are contrary to the object and purpose of the Regulation.

Is there a demand for specialised services? Which services should be allowed this special treatment? Yeds by the ISP's and no, do not allow it.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Obviously they are designed to hurt consumers.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

How much time do you have? Just keep it simple anything else is a waste of my time and my money.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Definitely NOT!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Just my opinion

Name: Miguel Guzman  
Email: [chaoskeeper18@yahoo.com](mailto:chaoskeeper18@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, as a provider of data, an ISP should solely track my use of data, not try to analyze and utilize my content consumption for its own benefit.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not be able to interfere with my connection or content consumption. Doing so gives an opening for ISPs to manipulate my data usage "for my convenience", without my consent.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Miguel Guzman

Name: Curtis Swan  
Email: [kurtisswan@yahoo.com](mailto:kurtisswan@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Never

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Curtis Swan

Name: Barbara Amalfi  
Email: [tailsoluv@yahoo.com](mailto:tailsoluv@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Hell no!

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, abest effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Barbara Amalfi

Name: F Corr  
Email: [newhotar@gmail.com](mailto:newhotar@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where

application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
F Corr

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Edward Stallard

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Giovanni Perna  
Email: [gperna73@gmail.com](mailto:gperna73@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Giovanni Perna

Name: Martin Thallmair  
Email: [martin.thallmair@yahoo.de](mailto:martin.thallmair@yahoo.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
Immer langsames Internet für immer mehr Geld = Beschränkung und Selektion

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
Nein.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Gar nicht!

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

mit freundlichen Grüßen,  
Martin Thallmair

Name: June Birch/Inside Outsider Publications

Email: [inoutpublic@aol.co.uk](mailto:inoutpublic@aol.co.uk)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,

June Birch/Inside Outsider Publications

Name: Phillip M. Edwards  
Email: [phillip1776@yahoo.com](mailto:phillip1776@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

[NN#1v2]

The diversity and innovative capacity of the Internet comes from the low cost of innovation and low barriers to entry. These principles ensure that every established business, start-up or non-commercial service—regardless of their size—has an equal opportunity to communicate with a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy can only be ensured by an open, neutral and non-discriminatory Internet. When internet providers are allowed to interfere with the decisions of their customers by economic or technical discrimination, this freedom is lost. Recital 1 of the EU Regulation on net neutrality says that legislation has to be interpreted in a way that ensures our freedom to access and distribute information and that protects the Internet as an engine for innovation.

The current BEREC guidelines create a solid foundation for the protection of these principles. The enormous task BEREC was left with by the legislator has been fulfilled in a balanced and careful manner that ensures the protection of the rights of consumers and businesses guaranteed by the regulation. The guidelines provide much needed clarification to the text, but need to be further specified in a few points.

[SpS#1v2]

The EU Regulation on net neutrality allows specialised services ("services other than internet access services") under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This would not be the case with services that could also function on the open, best-effort Internet.

Furthermore, Recital 16 prevents specialised services from being used to circumvent general net neutrality traffic management rules. Any deviation from these safeguards that would widen the applicability of the concept of specialised services would increase market entry barriers and thus weaken the innovative potential of the Internet as a whole.

If ISPs are allowed to charge online services for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, in order to encourage their customers to use specialised services. This effect would be detrimental for minorities, disadvantaged people, not-for-profit services and start-ups that cannot afford special access to all networks. This would also be detrimental to the development of the free, open and innovative Internet ecosystem.

[TM#1v2]

The EU Regulation has very clear rules on what constitutes reasonable traffic management.

According to its Article 3(3), all traffic management should be as application agnostic as possible.

Every deviation from this rule, such as class-based traffic management, could harm competition by offering priority to some classes of applications, but not others, for example.

Class-based traffic management also harms applications and services that are misclassified, whether deliberately or not. This is a particular risk for traffic from small businesses or start-ups. Class-based traffic management also risks discriminating against encrypted and anonymised traffic, which could be throttled by ISPs. It also harms users whose needs for accessing a certain class of service differ from the ISPs' assumptions. Finally, the lack of transparency around this practice creates uncertainty

about the performance of particular applications in any particular network. As with zero-rating, the complexity and ambiguity of this approach makes it more difficult for regulators to enforce it. Therefore, applying class-based traffic management instead of application agnostic traffic management is unnecessary, disproportionate, discriminatory and hinders transparency. In light of these harms, paragraphs 54, 55, 57 and 63 of the draft guidelines are not yet fully in line with the EU Regulation. Article 3(3) subparagraph 2 clearly requires traffic management to be transparent, non-discriminatory and proportionate, in order to be deemed reasonable. Those conditions have to be read in the context of Article 3, to distinguish reasonable and unreasonable forms of traffic management measures.

Paragraph 63 of BEREC's draft guidelines interpret "reasonable traffic management" which is inconsistent with the legislator's intentions. The draft guidelines would allow far too broad class-based traffic management measures. These would be based on the functionality of the service and protocol used, but it seems clear from recital 9 and the structure of Article 3(3) of the Regulation that the legislator only intended "reasonable measures" to be based on the Quality of Service requirements of traffic (classes for sensitivity to latency, jitter, packet loss and bandwidth). According to the proportionality principle and paragraph 58 of the draft guidelines, all forms of user-controlled quality of service and consumption based traffic management should be applied and exhausted before more intrusive measures are taken. Therefore, BEREC should bring paragraphs 54, 55, 57 and 63 more clearly into line with the EU Regulation.

[SpS#2v2]

Specialised services allowed under the EU Regulation must come with their own capacity, separate from the Internet access service. They cannot undercut the average maximum bandwidth that the EU Regulation guarantees.

Paragraph 118 of the draft BEREC guidelines suggests that the delivery of specialised services could limit an individual end-user's Internet access service capacity. This is not in line with Article 3(5) of the EU Regulation. It also contradicts the requirements for the provision of specialised services in paragraphs 113 and 117 of the draft guidelines.

Furthermore, the legislator clearly established its intention to ensure that end-user's Internet access service capacity remains unaffected by the delivery of specialised services by modifying the wording accordingly during the negotiations. In these final negotiations on 6. July 2015, the legislator decided to delete the word "other" before "end-users" in Article 3(5). That final version of that article now establishes that specialised services cannot be usable or offered to the "detriment of the availability or general quality of Internet access services for end-users."

Finally, paragraph 118 of the draft guidelines is not in line with Article 4(1)(d) of the Regulation (on transparency) nor with paragraphs 142 and 144 of the draft guidelines, as the average and maximum bandwidth agreed between the ISP and the end-user are no longer met.

Kind regards,  
Phillip M. Edwards

Name: Callan Gardiner  
Email: [cgar@hotmail.co.uk](mailto:cgar@hotmail.co.uk)  
Confidential: No

---

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes there is a demand. From big business and from the ISP. Big business wants people to visit their site only and the ISPs are happy to receive extra money to make that a reality. But this is a terrible idea. Not everyone has bottomless pockets to make their website free for the end user by paying a premium to ISPs.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. The ISP should not mess with or spy on my internet traffic in any way.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much information as possible. Speed, Ping, Sync, QoS, Censorship info, everything.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Callan Gardiner

Name: Matthew Ewer  
Email: [Ewer.Matthew@gmail.com](mailto:Ewer.Matthew@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is a demand for such things. However, I think it ill-advised for them to be permitted. As zero-rating is the example of the day, the obvious scenario would be that the providers zero-rate services they favor or provide (or who pay them money), and make the rest of the internet prohibitively expensive. This therefore effectively prevents me from accessing most of the internet.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I actually had an idea earlier today, along the lines of "What if you could arrange for a special super-low-latency link to a given endpoint for business meetings with less obtrusive lag?" Under the assumption that it's possible to eliminate the "bad" kinds of specialized services, while still allowing the "good", then it seems to be a positive thing. However, if the laws aren't careful enough, you could end up with telecom companies exercising unreasonable control over people and the internet.

Is there a demand for specialised services? Which services should be allowed this special treatment? There probably is, but I don't know what kinds should be allowed.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. In an ideal world, that could be beneficial; however, it can too easily be used for the wrong reasons, and I don't trust the intentions of the telecom companies.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

As I previously stated that they shouldn't be able to inspect my traffic for traffic management, they therefore shouldn't be able to interfere with it based upon its type.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

It would be nice to have, say, a map of the connection speeds at different points along my connection to a variety of sites, preferably chosen by me. For instance, when site X is being slow, I don't know if it's their server, their provider, their provider's connection to my provider, or my house connection that's the bottleneck it down. In other words, is it their fault or my ISP's fault?

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Matthew Ewer

Name: Mikki Chalker  
Email: [ravynsdaughter@aol.com](mailto:ravynsdaughter@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no reason to ever allow zero rating. It serves to only limit the rights of consumers.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Larger businesses could easily stifle competition and thusly, innovation by keeping traffic to a slow crawl when ever it suits them.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to know exactly how fast it is at all times, and when is it has slowed , the reason why.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, because this would open the door to censorship and unfair business practices They could decide who deserves fast or slow traffic based on content. For example, protest emails could be slowed or shut down, competitors could pay to slow rival business' traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP's should not be allowed to slow or throttle traffic at all.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content

application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Mikki Chalker

Name: Debra L Dornfeld  
Email: [debraleedornfeld@gmail.com](mailto:debraleedornfeld@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There is no consumer demand for it

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO!!!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open,

best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Debra L Dornfeld

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

What is your understanding of the term “commercial practices”? Do you think there is a demand for “commercial practices” such as zero-rating, from the end users’ point of view?

To me, commercial practices, such as zero-rating, are any method in which a profit-based corporation uses "tricks" to increase profits, without providing more, or better services, essentially, price-gouging.

As for zero-rating itself, there is a growing mountain of evidence that data caps are simply a way to charge more for less service. They should be removed from internet services entirely. Zero-rating is essentially a reverse method of charging for services that an ISP does not want you to access, or that have not payed a "toll" to this ISP.

My name/organisation:

Patrick Roy / None

What other "specialised" or "optimised" services (that can be give specific additional characteristics like speed or reliabiity) in addition to Internet access, can be offered by Internet access providers? What are the characteristics of such services that would justify the fact that they are not offered over the internet?

Remote Surgery services, allowing qualified persons to operate equipment in realtime over vast distances, to perform operations not otherwise possible. Since lives literally depend on the connection remaining stable and consistent, priority to this kind of service would be paramount, but separate from "internet access", as it is a specialized function.

Is there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars)?

I am not familiar with any service that internet providers could provide to the average customer, that do not fall within the confines of existing internet services, and their regulations. If a service requires a fast, uninterrupted connection, then it must have it's own, dedicated network or bandwidth, in addition to the services already provided.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I cannot state enough the gravity of allowing internet service providers, or any other party, to control access, or ease of access, to any part of the internet, website, or service. This would set a precedent for a degradation of access to information and services, which would undermine the very foundation of our economy and social structure, as it stands today.

Do you think that commercial practices could limit your rights as an end user? Could you provide examples?

If ISPs were allowed to reduce the available bandwidth for news sources other than the ones they endorse, it would lead to a loss of free information, and increase the amount of control these media outlets have on the news and information we receive, and have access to.

ISPs could also stamp out economic competition, and innovation, by strangling the internet access of certain parties at their sole discretion. Don't like a new startup company? Reduce their speeds to a crawl, and they will suffer.

Should the ISP be allowed to monitor the traffic of their users, including the content of the traffic (e.g. through deep packet inspection) for the purpose of traffic management?

No. NO. Definetly not. Nope. N. O.

This is spying, and an invasion of privacy. The only monitoring an ISP needs, and the only monitoring they should be allowed to do, is monitoring the amount of data being sent through their networks, to gauge capacity, and any areas where more capacity is needed.

How much should your ISP be able to interfere with your internet connection - for example to prioritise or de-prioritise certain types of online traffic (video, P2P, etc)?

For the general public, and public or private networks, an ISP should not be able to interfere with a users internet connection.

If, for example, a business wants to limit employees access to non-business related websites, (aka, to avoid employees wasting time and bandwidth by watching youtube), then they can do that locally, on their own network.

For a service provider to force restrictions on users access to any website or service, is a violation of users rights.

What would you consider to be "reasonable" traffic management measures? How can "unreasonable" traffic management measures affect you as a users?Please, provide examples.

If a user, service, or application, is hogging bandwidth, or otherwise interfering with the network in some way, preventing the service from being used by others, then an ISP is expected to control the network in such a way that all users, services, and applications have equal access, and are not obstructed by another, whether the interruption of service is unintentional, or malicious.

I, personally, have had my internet access interrupted, once, for a few days, by a system that was interfering with my ISPs network as a whole, and bringing all internet access down. I was unable to access the internet until my ISP tracked down and dealt with the problem. This was not a fault of my ISP, but a result of interference.

The first ISP I used forced me to transfer to another ISP, when they suddenly imposed draconian data caps on their service. 15GB a month, for a primary connection, with \$15 per GB over that limit. I was barely able to stay below that limit, without using any online video, or downloading any digital content, such as video games. The one month before I was able to find and transfer to another ISP left me feeling like I needed to avoid the internet. My ability to access information, goods, and services, was suffocated. This all happened, because this ISP could not afford, or did not care to make the expense, of having sufficient bandwidth to handle their user base, and instead adopted tactics to drive people off the internet.

What information would you need to make an informed decision about your Internet connection? For example: traffic management; commercial practices or technical conditions?

I would need to know what speeds, upload and download, an ISP is claiming to provide, as well as the actual speeds their customers are getting. I would need to know about any data caps, any network throttling an ISP may perform, such as burst and sustained speeds. The term of any contract would need to be clear and concise, with any "cancellation fees" included in the main pricing information. Any special terms and conditions, unusual or hidden features or restrictions would need to be spelled out clearly, in common terms understandable by a person with no technical background. A live, human representative should be available, within an hour, to answer any questions I have about the service.

What information would you like to receive about the speed of your Internet connection?

The upload and download speeds, whether the network is able to maintain it's reported speed at all times of day, week, and month, and how well the network is able to connect to other networks, all around the world. Just because a network may get a high speed to a local conneciton, does not mean it can get high speeds everywhere.

How should ISPs describe other parameters of their Internet access offers, such as quality of service parameters (typically latency, jitter, packet loss) and quality as perceived by end users? Should these parameters be defined in the contract? If so, how?

A connection quality graph or chart, with the suitability of the connection for different types of uses should be included, whether for general browsing, online video, gaming, VoIP, or other services. This should include, if available, user ratings/reviews of the service, to ensure transparency.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and

subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen, and avid user of the Internet.

Name: Joseph Lawson  
Email: [josephglaw@aol.com](mailto:josephglaw@aol.com)  
Confidential: No

---

Dear Sir / Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None!

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Joseph Lawson

Name: Tasha Carpenter  
Email: [whitewaterotter@aol.com](mailto:whitewaterotter@aol.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no- crowd sourced news is polarizing society

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
no

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Tasha Carpenter

Name: Sven Kilian  
Email: [kiliansven@gmail.com](mailto:kiliansven@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREK Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen?  
Keine, jeder Dienst ist wichtig für die jeweilige Einzelperson.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Kleinere Unternehmen wird die Chance genommen sich im Internet richtig zu präsentieren.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Gar nicht, dies widerspricht dem Wort Flatrate.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Alle Informationen die mir zustehen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?

Nein, es ist und bleibt privat welche Daten Pakete versendet werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er

den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

mit freundlichen Grüßen,  
Sven Kilian

Name: Martin Rose  
Email: [mjr543@york.ac.uk](mailto:mjr543@york.ac.uk)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO! This is a foolish option. If even a small chance exists of this system being misused, either now or in the future, then that is enough to outweigh the negligible benefits it would have. YOU HAVE HEARD THIS FROM TEN THOUSAND VOICES. STOP IGNORING THE WISHES OF THE MASSES FOR THE BENEFIT OF THE FEW.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISPs should not be allowed to prioritise certain connections at all. Even if this gives some benefits it will only lead to them trying to profit by punishing the consumer. If implemented at all this should be massively regulated.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Martin Rose

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Pablo Beltrán

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Banking and payment services are the only services that maybe could be declared specialized, because the faster they are, the less vulnerable they are to crackers.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

The positive effect would be the granted access in any situation to a specific vital service. The negative is that, as there are very few examples of these types of services, other services that are not so important may be classified as special and given priority on the network, thus hurting the market and the competition.

\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

There could be a demand if a service a customer already uses is then classified as zero rated by his or her ISP, but I believe this hurts competition as it influences consumers to go for one service or another based on something not directly related to the service in question.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

No. I feel this is a strong violation of my privacy and goes against the development of encryption, which I believe is absolutely necessary for a safe and free internet.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

Absolutely nothing unless it must slow down all traffic to allow for more users to connect at a specific time due to traffic overflow in a hub.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

As much as possible. I'd like all those details and the policies of my ISP to be detailed in the contract , as well as being able to consult the real time quality and speed of my connection at any given moment.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: john gasperoni  
Email: [gaspo@lmi.net](mailto:gaspo@lmi.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
john gasperoni

Name: Christopher Köbel / DeFrEnT  
Email: [christopher.koebel@gmx.de](mailto:christopher.koebel@gmx.de)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Die bisherige Praxis, nach der alle Netzteilnehmer für ihren eigenen Anschluss aufkommen, sollte nicht durch "kommerzielle Praktiken" ausgehöhlt werden - wenn Verbraucher unseren Cloud-Dienst nicht so gut annehmen, weil ein vergleichbarer Cloud-Service eines großen Anbieters durch dessen Zahlungen schneller oder für Kunden günstiger ist, verzerrt dies den Wettbewerb zu Lasten innovativer Start-Ups und kleiner/mittelständischer Unternehmen und zum einseitigen Nutzen meist US-amerikanischer Konzerne. Solche Praktiken schaden den Innovationstreibern in Europa und führen zu einer Marktkonsolidierung, die durch einen Mangel an Vielfalt am Ende die Verbraucher schädigt - also alle.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Als Positivbeispiel für Spezialdienste werden gerne zeitkritische Nischenanwendungen wie Tele-Chirurgie angeführt, aber auch potentielle Massendienste wie Telemetriedaten für autonome Fahrzeuge. Tatsächlich scheinen nach aktuellem Stand Fahrzeuge sehr gut ohne femtosekundengenaue Daten autonom fahren zu lernen und telechirurgische Eingriffe sollten meiner Ansicht nach gar nicht über das Internet, sondern über eigenständige Netzwerke/Standleitungen zwischen Kliniken abgewickelt werden. Für alle anderen Dienste gilt, was an anderer Stelle schon gesagt wurde: Der Nutzer sollte selbst entscheiden dürfen, welche Dienste er auf dem von ihm bezahlten Netzzugang nutzt - und alle Dienste sollten nach dem Best Effort-Prinzip bedient werden. Jeder Vorstoß in Richtung Priorisierung einzelner Dienste oder Klassen von Diensten ist besser durch konsequente Investitionen in moderne Netze zu lösen als durch die Benachteiligung mehr oder weniger willkürlich von Providern festgelegten Diensten/Klassen.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Es gibt aus unserer Sicht keinen Bedarf für "Spezialdienste". Dienste, welche aus welchen Gründen auch immer tatsächlich in Echtzeit kommunizieren müssen, sollten durch separate Netzwerke/Standleitungen verbunden werden und nicht über das allgemeine Internet (s.o.).

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Nein, denn zu viele meiner Kunden lassen mich Non-Disclosure Agreements unterzeichnen, verzichten dann aber bei der Datenübermittlung von Geschäftsgeheimnissen oder Messaging / VoIP auf Verschlüsselungsverfahren. Es geht Dritte schlicht nichts an, was ich über welche Anwendung mit wem kommuniziere, alles andere schwächt den Wirtschaftsstandort Deutschland (bzw. EU) und ist letztlich auch ein Einfallstor für Industriespionage!

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)? Der Provider sollte alle Dienste weiterhin nach dem Best Effort-Prinzip bedienen. Es muss meiner eigenen Entscheidung überlassen werden, welche Dienste ich gleichzeitig nutze und bei welchen ich Qualitätseinbußen oder Wartezeiten akzeptieren will. Statt die Qualität über das Drosseln

bestimmter Anwendungen zu sichern, sollte die Qualität durch Investitionen in ausreichend schnelle Netze gesichert werden.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Die niedrigste, höchste und mittlere Datenrate des Anschlusses (notfalls berechnet aus den Daten der umliegenden Anschlüsse, falls an diesem Hausanschluss vorher noch nie ein Netzabschlusspunkt eingerichtet wurde) und die durchschnittliche Latenzzeit sind die Mindestangaben, die ich qua Gesetz gerne schon VOR Vertragsschluss hätte. Besser noch wären auch Angaben zum Netzwerkmanagement des Providers (z.B. inwiefern VoIP-Telefonie und Datenanschluss interagieren), damit ich diese Regeln beim Vertragsschluss berücksichtigen kann. Wenn irgend möglich sollten die blumigen Versprechungen der Provider von möglichen Anschlussgeschwindigkeiten vor Vertragsschluss durch im Gebrauchsalltag real erzielbare Geschwindigkeiten ersetzt werden - bitte setzen Sie den ärgerlichen Mogelpackungen ein Ende!

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Start-Ups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystems.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte.

Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Christopher Köbel / DeFrEnT

Name:  
Email:  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Only practices that are entirely traffic-agnostic.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
If ISPs favor a particular protocol or a particular source / destination for traffic, it could cause users to choose what sites they visit and what they do online based on what the ISPs favor, and not based on the merits of the site. This would threaten the free-market principle of encouraging innovation by free-for-all competition among online content providers.

Is there a demand for specialised services? Which services should be allowed this special treatment? ISPs should be entirely service agnostic. They should not even look at the contents of a packet.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
If the law is sufficiently strong in preventing abuses by enforcing net neutrality, not that much info is needed.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
undefined

Name: Henning Ramm  
Email: [ramm@fieee.net](mailto:ramm@fieee.net)  
Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.

Die Zivilgesellschaft hat keinen Bedarf für "kommerzielle Praktiken".

Meine IP-Telefonate, meine Downloads (z.B. von Sicherheitsaktualisierungen) und meine Homepage dürfen gegenüber dem Datenverkehr von Unternehmen nicht benachteiligt werden.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Es ist zu erwarten, dass die Protokolle von Spezialdiensten auch für andere Datenübertragungen genutzt werden.

Gibt es einen Bedarf für [Spezialdienste](Ein Spezialdienst ist jeder Dienst, der über das Internet angeboten wird und der seitens des Internet-Providers zusätzliche (technische) Berücksichtigung erfordert (z.B. Streaming). Unter der Regelung muss diese Optimierung objektiv notwendig sein, um die technische Erreichbarkeit des Dienstes zu ermöglichen und darf nicht einfach eine Bevorzugung des jeweiligen Angebots sein. Der Internet-Provider muss dabei sicherstellen, dass genügend Kapazität vorhanden ist, so dass andere Dienste dadurch nicht beeinträchtigt werden. Die jeweilige Notwendigkeit muss durch die nationale Regulierungsbehörde überprüft werden. Das bedeutet, ein Spezialdienst kann nicht in eine diskriminatorische Fast-Lane ausarten.)? Welche Dienste sollten diese Sonderstellung bekommen?

Echtzeitdienste wie IP-Telefonie (auch Video-Telefonie) wären wahrscheinlich sinnvolle Kandidaten für eine solche Sonderstellung. Ich sehe nicht, warum z.B. die Übertragung von Filmen priorisiert werden sollte.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

GAR NICHT

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

tatsächliche Übertragungsraten in Relation zur maximalen gebuchten Rate, Limitierungen...

Wichtig ist die Vergleichbarkeit der Daten mit anderen Zugangsprovidern.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es

ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

mit freundlichen Grüßen,  
Henning Ramm

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Yvonne Wähler

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards.

Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal"

Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16).

Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Name: Rodney Gooding  
Email: [rgooding77@gmail.com](mailto:rgooding77@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

No there is no demand for zero-ratings other than as a revenue stream for isp's, any demand was created by the isp themselves by advertising specific content to their users.

Indirectly it will harm other content providers who are not zero rated and that will hurt end users of content as there will be less choice overall.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Make money today to be able to innovate and create new opportunity tomorrow, lose demand and disappear - less choice as a result is not good for all content users today and in the future.

Have isps drop their rates in respect to the revenues generated by select content providers to the end users and suddenly net neutrality makes sense.. (if you consume their approved content your bill should go down if they make any revenue off of your choices and then there is no case. For zero rating content anymore)

Is there a demand for specialised services? Which services should be allowed this special treatment? Yes voip, video on demand, streaming all are specialized services which end users pay for now, but end users already pay isps to access this content via their monthly bill for internet access now hence, no services should be allowed priority over the other - we are not paying isps for content, just their ability to provide access to the internet and to any content accessible therein, its up to the content providers to find their own business case to proceed or disappear.

When isps zero rate content providers its not for their clients benefit but their own. (understandably some isp clients will be happy to access some content without worry but by creating that worry in the first place it makes users less likely to go to other not zero rated content and hence less likely to support other companies out there and that will stifle innovation and growth for less popular sites or new ones.)

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Traffic shaping and dns resolution issues.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No traffic management at all, other than for the purpose to find out who is using most of the available bandwidth.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No - all data should be treated equally

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Rodney Gooding

Name: Dr. Matthias Doblies

Email: [mdoblies@web.de](mailto:mdoblies@web.de)

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

With zero rating small new innovative service providers cannot compete with established big players, who can by their own fast lane.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Definitely not - I don't think any government should be allowed to monitor my network traffic, let alone a profit oriented company.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

ISPs should tell you the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that your Internet provider should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

ISPs should provide information on quality of services parameters in very clear language in all contracts. Concrete examples should be provided to help users understand the practical impact on their Internet access service. For instance, you should be provided information regarding possible issues arising when you use VoIP applications, such as videos delays or sounds effects. Basically, you should have the information you need in order to make reasonable assumptions about the quality of the service available for your particular priorities (gaming, video, etc).

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the

prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Dr. Matthias Doblies

Name: Štěpán Venclík

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Štěpán Venclík

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen

Name: Štěpán Venclík

Email:

Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

no

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

not at all

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Štěpán Venclík

Name: Logan Berrian  
Email: [loganberrian1@gmail.com](mailto:loganberrian1@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Yes, plenty examples out there

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Just look at the last 25yrs of free internet

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Absolutely not

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
0

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Logan Berrian

Name: Chad Sell  
Email: [csell763@gmail.com](mailto:csell763@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I should be able to use services I choose, not forced into using a lesser service for fear of impacting a data cap.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No. None.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

More is better.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they

may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Chad Sell

Name: Richard Hutchings

Email: [RICKHUTCHINGS@TX.RR.COM](mailto:RICKHUTCHINGS@TX.RR.COM)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Richard Hutchings

Name: Michael Partsch  
Email: [mpart@sbcglobal.net](mailto:mpart@sbcglobal.net)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Commercial practices such as zero-rating are attempts to control what the user does on the internet and should not be allowed.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Any regulation of "specialized services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment? I see no reason that any service should be allowed special treatment over any other.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP's should not be allowed to monitor traffic or content for any reason.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP's should not be allowed to interfere with the users connection in any way. Provide the pipe without controlling what goes through it.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Partsch

Name: Mostafa Mortazavifar  
Email: [mostafa.mrtazavi@gmail.com](mailto:mostafa.mrtazavi@gmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
It is not their business how I am using my traffic. I have paid them for a clearly specific purpose: being connected to the Internet!

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Mostafa Mortazavifar

Name: Maximilian Schlosser  
Email: [maxschlosser96@gmail.com](mailto:maxschlosser96@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Zero-Rating beziehungsweise verbilligtes Rating für manche Angebote senkt die Attraktivität aller anderen Anbieter enorm. Schon allein das sollte als Grund ausreichen, diese Vorgehensweise zu verbieten. Eine Firma die gleichzeitig ISP und Streaming-Provider ist kann ihre Kunden so daran hindern zur Konkurrenz zu wechseln, da sonst eventuell massive Gebühren beziehungsweise Einschränkungen auftreten. Somit führt diese Praxis früher oder später zur Monopolbildung und schädigt damit einerseits den Wettbewerb und verhindert andererseits das der Endverbraucher aus mehreren Optionen wählen kann.

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

In meinen Augen führt die Bevorzugung von bestimmten Diensten auf lange Sicht nur zur Verschlechterung der Situation im Internet. Beispiel Streaming: Entweder der ISP bevorzugt nur bestimmte Streaming-Dienste, dadurch verhindert er effektiv das neue oder von ihm nicht gewünschte Dienste in seinem Kundennetz Fuß fassen, oder der ISP bevorzugt alle Streaming-Pakete, dann muss er aber alle Pakete analysieren, um festzustellen ob sie Streaming-Pakete sind oder nicht, und greift damit in die Privatsphäre seines Kunden ein.

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Es gibt nur wenige Dienste, die eine bevorzugte Behandlung verdienen. Weder Downloads, Online-Games noch Streaming zählen dazu.

Die Kommunikation mit Krankenhäusern beispielsweise könnte ein Kandidat dafür sein. Denkbar wäre ein Spezialdienst der es erlaubt beispielsweise die Statusinformationen von Herzschrittmachern oder Messgeräten in Echtzeit zu überprüfen. Während dieser Vorschlag datenschutz- und sicherheitstechnisch mit den mir bekannten technischen Entwicklungen nur katastrophal umgesetzt werden könnte, wäre es mit besserer Technologie so möglich eine genauere und gleichzeitig etwas krankenhaunabhängigere Überwachung von Patienten mit starken Beschwerden durchzuführen. Dies würde einerseits Räume in den Krankenhäusern sparen und andererseits Früherkennung mancher Komplikationen erlauben.

Andere Dienste, die ich als sinnvoll erachte, sind Kommunikation von und mit Feuerwehren, Polizei und Hilfsorganisationen in Krisengebieten und staatliche Dienste, die z. Bsp. vor Naturkatastrophen oder Gewaltausschreitungen warnen.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Auch für Datenpakete sollte eine Art Briefgeheimnis gelten. Spätestens wenn eine gesicherte Verbindung aufgebaut wird sollte es dem Provider nicht mehr gestattet sein den Verkehr zu überwachen, es sei denn der Nutzer stimmt diesem Verhalten ausdrücklich zu und ist in der Lage diese Zustimmung ohne weiteres (d.h. sofort und ohne Einschränkung) zu widerrufen.

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?

Für den Provider sollte nur die Menge der Daten beziehungsweise die Geschwindigkeit relevant sein, nicht aber, um welche Dateien es sich handelt oder von wem sie stammen. Da zumindest in Deutschland die meisten Haushalte Flatrates mit einer gewissen Geschwindigkeit haben, sollte diese auch für alle Dienste gelten, egal welche es sind. Somit beschränkt sich die Beeinflussung nur auf die Bereitstellung des Anschlusses mit der Geschwindigkeit, für die ich bezahle.

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?

Im Idealfall möchte ich von meinem Internetprovider alle Informationen die direkt mit der Verbindungsaufnahme in Verbindung stehen bekommen, sofern sie, aus sicherheitstechnischer Sicht, nicht vor mir bzw dem Provider geheim gehalten werden müssen (d.h. keine Passwörter und vergleichbares).

Dazu zählen neben der Geschwindigkeit, dem Traffic-Management und natürlich der IP auch ob zum Beispiel Packet Inspection durchgeführt wird. Gleichzeitig sollten diese Informationen so genau wie möglich und so greifbar wie nötig gestaltet sein, d.h. ich möchte wissen was genau meine Mindest- und meine Höchststrategie ist, ob das als Diagramm oder Tabelle geschieht ist eher zweitrangig. Dennoch sollten über alle ISPs hinweg eine Einheit für die Geschwindigkeit und die selben Fachbegriffe für z. Bsp. Traffic-Management verwendet werden.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Maximilian Schlosser

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

No! None!

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

Despite you having a 30Mb/s connection, Big companies like Netflix could seem to load faster on your laptop than, say another similar-like start-up. This would give the appearance that netflix is 'better' and destroy entrepreneurship

No positive impacts at all.

\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

No!

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

NO! Because of how much we do now online, this can be as effective as stalking you. That is a serious breach of privacy and should NEVER be allowed.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

None AT ALL. You should get what you pay for. And if they can't deliver what they promise, they should pay compensation and face fines. Companies should under-estimate rather than over-estimate.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

I want to know exactly what my connection is like and what my ISP is doing, if anything, with it.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen of the UK

Name: Sabbath Fan

Email: [gumballisthegreatest@gmail.com](mailto:gumballisthegreatest@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't know.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

One of the negatives is that it could lead to Internet censorship.

Is there a demand for specialised services? Which services should be allowed this special treatment?

No there isn't. No services should be allowed.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Hell no. This would violate privacy rights.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Equally.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Here in Canada, sometimes it's fast and sometimes slow.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible.

Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Sabbath Fan

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

\*Please enter your name/organisation\*

Tomasz Lewoc

\*Is there a demand for specialised services? Which services should be allowed this special treatment?\*

Self-driving cars could actually require special treatment. However, any preferential treatment they receive must be tightly regulated so as not to create any opportunities for abuse. In particular, any regulations must have unambiguous wording and leave nothing to interpretation.

\*What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?\*

I can only see a negative impact: they will undermine competition.

\*Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.\*

I don't believe there is any reason why a consumer would want such practices, because whatever they will always hurt the consumer in the end – not only by stifling competition, but also because cellular networks only have so much bandwidth available, so consumers will pay for zero-rating services by having less network resources available to access other services.

\*Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?\*

I don't like the idea, but ultimately I don't mind, because encryption is now common enough that such monitoring doesn't do \*that\* much.

\*How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?\*

Any such interference should be forbidden.

\*What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?\*

Availability, i.e. how many outage minutes in a given period are allowed before I'm eligible for compensation from the ISP.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service -- no matter how small or well funded -- has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
A concerned citizen

Name: Caleb Rush  
Email: [caleb.rush@ymail.com](mailto:caleb.rush@ymail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment? Consumers who pay for an existing service may be happy if that service receives special treatment in terms of internet traffic, etc. That benefit is not worth the cost to fair competition and innovation that benefits ALL consumers. I have not seen any persuasive justification for any service to receive this special treatment. If emergency police, fire, and ambulance services use internet connections, and if they exist to serve all members of the public equally, then special treatment for those services may be warranted.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Companies should not be allowed to buy special privileged arrangements that prevent equal competition on the internet. That will hurt new innovative companies, deprive consumers of improved services, and allow established companies to charge more at the expense of consumers.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

There might be people or entities who favor zero-rating because it gives them favorable treatment. That is not worth the cost to everyone. Zero-rating lets established businesses avoid fair competition with new innovators. That is unfair to new businesses. And it hurts all consumers.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

NO INTERFERENCE.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

NO.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

FULL INFORMATION.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Caleb Rush

Name: Linda Tally  
Email: [Ltally46@gmail.com](mailto:Ltally46@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No such demand exists.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
No ISP should be able to interfere with my connection for any reason. Ever.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
Speed I would like to have, and traffic management maybe. The QUALITY of service is what I get to decide.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts

my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Linda Tally

Name: Tom Urwin  
Email: [tomu@square-enix.com](mailto:tomu@square-enix.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Leave it as is.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Tom Urwin

Name: Glenn Moss  
Email: [glennmoss2000@yahoo.com](mailto:glennmoss2000@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Zero interference

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Glenn Moss

Name: fight for the future  
Email: [jennyevab@gmail.com](mailto:jennyevab@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating could limit rights of end-users.

Is there a demand for specialised services? Which services should be allowed this special treatment? Although there is demand for specialised services, the internet should treat all users equally

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP should not interfere with the speed of internet connection

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities,

disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
fight for the future

Name: Michael Hughes  
Email: [yamann777@yahoo.com](mailto:yamann777@yahoo.com)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

The only demand for commercial practices is from large commercial entities. It does not exist otherwise.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

There are no positives.

Is there a demand for specialised services? Which services should be allowed this special treatment?

There is no demand apart from entities that want control.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

"Traffic Management" is a farce and a lie aimed at controlling content for the betterment of who pays the most to dictate the rules and it's a lie in the face of privacy. Do not do this!

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I want to know all of that. I'm paying for it!

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Michael Hughes

Name: Jork Van den Bosch  
Email: [Arlecchino8472@gmail.com](mailto:Arlecchino8472@gmail.com)  
Confidential: No

-----

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Zero rating clearly contradicts the intention of the legislators in protecting the open and unrestricted access to the Internet. Zero rating limits the possibility for users to distribute content, services, or applications, which undermines innovation, dialogue, or exchange of knowledge.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

While the provision of specialised services is allowed under the Regulation, they cannot be offered as a replacement for Internet access services. In its 2012 guidelines, BEREC stated that price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of "specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

As much as possible, such as speed, quality, management.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, respect my right to privacy and let me see what I want to see, please.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create

regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Jork Van den Bosch

Name: Glenn Pritchard  
Email: [glenn.pritchaed@sbcglobal.net](mailto:glenn.pritchaed@sbcglobal.net)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Yes they could.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Money Talks.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Not sure.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All the above.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at All

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Glenn Pritchard

Name: Mark West  
Email: [westybsa@gmail.com](mailto:westybsa@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

On the surface Zero Rating may seem like a good thing but the reality is it will only hurt the end user.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Not allowing start ups to compete.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

All of the above.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

No interference whatsoever.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content,

applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Mark West

Name: Marek Marecki  
Email: [marekjm@ozro.pw](mailto:marekjm@ozro.pw)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for "commercial practices" such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Is there a demand? Yes, I can see a demand for zero-rating from companies such as Facebook for whom this means that people are more likely to use their "free" services to access the Internet, instead of "more expensive" open network. This, in turn, that big companies get a better stand in forging public opinion by feeding people curated and opinionated view of the world, all by the fact that people like using "free" services.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Infrastructure that is not maintained deteriorates. If ISPs were given the possibility to prioritise only certain kinds of traffic they could start paying less attention to "common, non-specialised" traffic which would mean a decline in overall quality of service.

Is there a demand for specialised services? Which services should be allowed this special treatment?

Specialised services *can* be implemented using existing technology. There is minimal need to create more channels of prioritisation.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Of course not! An ISP is like a post office, and my traffic is like my letters - all are equal, expect the same quality of service, and are not opened at the post office to determine how they should be handled.

Also, deep packet inspection is a huge breach of privacy and trust. I *don't* want ISPs to deeply inspect my banking traffic (even if it's encrypted) or my sniffing my secure shell connections to remote servers under guise of improving "quality of service".

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP should not interfere with my connection *at all*. They are in the business of *providing* the connection, not disrupting it.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Marek Marecki

Name: [mssteel70@gmail.com](mailto:mssteel70@gmail.com)

Email:

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

As an end user & living in rural area with slow internet as is it would be disaster to me by introducing these rules & limitations

Is there a demand for specialised services? Which services should be allowed this special treatment?  
No

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, called monopoly

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP has no right to slow my internet access to boost their profit & control over my rights & life

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Monopoly is not acceptable

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
[mssteel70@gmail.com](mailto:mssteel70@gmail.com)

Name: James Casey  
Email: [iamstretchtheeel@gmail.com](mailto:iamstretchtheeel@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Having had previous experience with big companies, I can say without a doubt that the end user would get hosed eventually.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Just treat us all the same.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Not that I am aware of.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Not in the slightest.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Minimal, if at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I just want assurances that I'm not being slowed down deliberately.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
James Casey

Name:

Email:

Confidential: No

-----  
Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
undefined

Name: Ivan Egger  
Email: [ivan.egger@sabag.ch](mailto:ivan.egger@sabag.ch)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
Yes but without storing anything

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ivan Egger

Name: Marie Fitzpatrick  
Email: [fitzpam@lmsd.org](mailto:fitzpam@lmsd.org)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
None

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
Specialised services would negatively affect consumers' rights.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
Corporations have a demand for zero-rating. They could limit my rights as an end-user.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
not at all

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I would like to receive information about my Internet connection, such as speed, quality of service, and how traffic is managed.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of

key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Marie Fitzpatrick

Name: Doris Rottensteiner  
Email: [dorisrottensteiner@gmx.at](mailto:dorisrottensteiner@gmx.at)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Doris Rottensteiner

Name: John MacConnell

Email: [meaningfulmktng@gmail.com](mailto:meaningfulmktng@gmail.com)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't know.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

I don't know.

Is there a demand for specialised services? Which services should be allowed this special treatment?

I don't know.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The ISP should not be allowed to monitor traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I don't know.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their

customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
John MacConnell

Name: Adam Braun  
Email: [acbraun@yahoo.com](mailto:acbraun@yahoo.com)  
Confidential: No

---

Dear Sir / Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

Implementation

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No. Your traffic is private information.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The ISP is a service provider. This service should not be tiered at their discretion.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole. The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Adam Braun

Name: Jennifer Case

Email: [jennifer\\_case@sbcglobal.net](mailto:jennifer_case@sbcglobal.net)

Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREK net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I don't think there is to be honest. People forget that laws are made only for the honest person. The criminals don't care. I'm tired of my rights being trampled on because of what might happen. No one can be fully protected. If criminals really want something they going to find a way to get it.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

Only if a crime has been committed. Anything along criminal lines then yes. Otherwise no. You don't need to know in detail to control traffic. No company has the right to violate my privacy simply for that

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Instead of throttling my internet speeds they should find other ways of managing horrendous amounts of traffic. For the prices they gouge us for they should take some of it back out of their pockets and put it in to finding these things out.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Jennifer Case

Dear Sir or Madam,

Please find below my comments regarding the BEREC net neutrality guidelines creation. I would appreciate if you would take them into consideration.

My name/organisation:

Hans-Josef Mauve

The diversity and capacity to create innovations of the Internet is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one everybody – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. There have been many suggestions for specialised services which don't meet these requirements and are therefore endangering the freedom of the internet. For example services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

ISPs are paid for their services by their customers; if they believe that this payment is insufficient they should increase their fees. When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate,

transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

Hans-Josef Mauve

Name: Rosalind Cuthbert  
Email: [roscuthbert@hotmail.com](mailto:roscuthbert@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Rosalind Cuthbert

Name: Mark Reback  
Email: [mark@consumerwatchdog.org](mailto:mark@consumerwatchdog.org)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these

safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Kind regards,  
Mark Reback

Name: Maciej Krüger  
Email: [mkg20001@gmail.com](mailto:mkg20001@gmail.com)  
Confidential: No

---

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREC Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele. Ich müsste auf bestimmte Dienste wechseln, weil ich so vorteile im Daten-Volumen bekommen würde.

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können? Der Datenverkehr sollte nicht überwacht werden.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeinen Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist

besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Maciej Krüger

Name: Stephen Russell  
Email: [stephenrusell@sbcglobal.net](mailto:stephenrusell@sbcglobal.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BERC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.  
NA??

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?  
For E Commerce I say Yes, & for jobs & profits.  
Niche services should NOT throttle down Internet.

Is there a demand for specialised services? Which services should be allowed this special treatment?  
Only my niche IE Custom Cars, Data Security, Innovation, Cyberinvestigations, Counter Terrorism & otherwise NO special treatment given

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
NO, unless Natl Emergency if any, otherwise NO & to counter terrorism I say Yes.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
None, Max my speed out or add more Routers or servers to system

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
My speed, Data Up/Down Loads & Security.  
IE hey U need a better computer your models age Slows the Internet down.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
Stephen Russell

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name:  
Andras Kangyal

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
A concerned citizen

Andras

Name: Linda Reimersdahl  
Email: [lmjreimersdahl@hotmail.com](mailto:lmjreimersdahl@hotmail.com)  
Confidential: No

-----  
Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

Kind regards,  
Linda Reimersdahl

Name: independent individual  
Email: [rabrosius@gmail.com](mailto:rabrosius@gmail.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

ISP's should not be using the particulars of my data in order to determine the level of service to which my communication is entitled.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Individuals and enterprises who develop specialized services are entitled to use the Internet like anyone else. They should not be tampering with my access to the Internet.

Is there a demand for specialised services? Which services should be allowed this special treatment? The only specialized services I can think of that should have any priority would be security and antivirus/malware services.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

ISP's don't need to monitor my confidential information in order to manage traffic.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

ISP's should not be examining my activity and content in order to decide how to send it. My information should flow with the speed of the Internet.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

I would like to receive an open, direct, and non-technical description of the Internet services associated with the account, including any impediments to receiving open access similar to all other consumers.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as

circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,  
independent individual

Name: Chip Maguire  
Email: [joemd@cox.net](mailto:joemd@cox.net)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
no.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
Not at all.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific

applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Chip Maguire

Name: Ethan Reilly  
Email: [ethanreilly@gmail.com](mailto:ethanreilly@gmail.com)  
Confidential: No

---

Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

I have no personal demand for commercial practices such as zero-rating - I would prefer all connections I make be treated equally even if it comes at the cost of a fairly increased bill. These practices could limit my rights as an end-user, as when an ISP prioritizes the connections made by a specific application, it is by nature depriving the connections of other applications. If my preference is to only use the applications which are being deprived, then I as an end-user am being deprived of the quality connection which I expected when entering a contract with my ISP.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?  
No.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?  
ISPs should not be able to interfere with our Internet connections whatsoever - they should provide and fulfill a constant bandwidth to their consumers.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?  
I would like a listing and accurate description of all practices which my ISP utilizes in managing my Internet connection to be made easily available to the public. If an ISP is throttling, providing a connection other than that agreed upon, prioritizing some domains over others, or otherwise intentionally or unintentionally affecting quality of service, their consumers deserve to be notified quickly and accurately.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Ethan Reilly

Name: Naomi Durall  
Email: [black\\_swan1982@yahoo.com](mailto:black_swan1982@yahoo.com)  
Confidential: No

-----  
Dear Sir / Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

In all honesty, I cannot recall any examples of this issue, at the moment, so I won't even attempt to answer what I believe.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

No, because all that will do is encourage more ownership by corporations, rather than helping small businesses.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

Not at all!

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Kind regards,  
Naomi Durall

Name: Privat  
Email: [hatari@arcor.de](mailto:hatari@arcor.de)  
Confidential: No

-----

Sehr geehrte Damen und Herren,

Bitte beachten Sie diesen Stakeholder Kommentar über die BEREK Richtlinien zur Netzneutralität.

Gibt es einen Bedarf für "kommerzielle Praktiken", wie zum Beispiel Zero-Rating? Könnten diese Praktiken deine Rechte als Endverbraucher beschränken? Bitte gib ein oder mehrere Beispiele.  
NEIN (NO)

Was könnten positive und negative Einflüsse von Spezialdiensten für die zukünftige Offenheit und Innovation des Internet bedeuten?

Ich sehe keine positiven - nur negative Einflüsse (I am not able to see positive Impacts - only negative)

Gibt es einen Bedarf für Spezialdienste? Welche Dienste sollten diese Sonderstellung bekommen? Bereits jetzt gibt es die Möglichkeit von Kunden, sich Anschlüsse mit gesicherten Datendurchsätzen bereit stellen zu lassen. Eine weitere Regelung ist nicht notwendig. Ein Bedarf ist nicht erkennbar. (Acually there is the possibility to get Connections with specific data rate guaranteed. Further regulations are not necessary. A demand for Special Services can not be identified)

Soll der Internet-Provider deinen Datenverkehr überwachen dürfen, einschließlich der Inhalte (z.B. durch Deep-Packet-Inspection), um so den allgemeinen Datenverkehr besser managen zu können?  
NEIN !!! (NO !!!)

Wie weit sollte dein Internet-Provider deinen Internet-Anschluss beeinflussen können - zum Beispiel um bestimmte Datenübertragungen zu drosseln oder zu bevorzugen (Video, P2P usw)?  
Ungehinderter Zugang zu allen technisch möglichen Diensten und Protokollen (unlimited Access to all possible Services and protocols)

Welche Informationen möchtest du über deinen bestehenden Internetanschluss bekommen (z.B. Geschwindigkeit, Quality-of-Service oder Traffic-Management)?  
Minimum guaranteed data rate, average data rate, Maximum data rate, volume restrictions, protocol & Service restrictions (if exists)

Diversität und innovative Fähigkeit des Ecosystems Internet beruhen auf geringen Kosten bei der Innovation und niedrigen Hürden beim Marktzugang. Das garantiert, dass jedes Unternehmen, sei es ein Startup oder ein nicht-kommerzielles Unternehmen, egal wie klein oder wie kapitalstark, das Potential hat, ein globales Publikum zu erreichen, das ebenso groß ist wie das der Konkurrenz. Diese treibende Kraft für wirtschaftlichen Erfolg und Diversität kann nur durch ein offenes, neutrales und nicht diskriminierendes Internet garantiert werden. Wenn Internet-Provider die Entscheidungen ihrer Kunden durch technisch oder ökonomisch begründete Diskriminierung beeinflussen, geht diese grundsätzliche Freiheit verloren. Laut der ersten Präambel zur Regelung der Netzneutralität müssen alle gesetzlichen Regelungen im Licht diese Ziele beurteilt und interpretiert werden.

Die Regeln erlauben Spezialdienste nur unter ganz genau definierten Vorbehalten. Artikel 3(5) und Präambel 16 formulieren, dass die Optimierung der technischen Transferleistung nur dann erfolgen darf, wenn objektiv grundlegende Bestandteile des Angebotes sonst nicht möglich wären. Das kann nicht der Fall sein, wenn solche Dienste auch auf dem normalen, offenen, bestmöglichem (Best

Effort) Internet-Angebot funktionieren. Präambel 16 legt darüber hinaus auch fest, dass Spezialdienste nicht zur Umgehung der technischen Regeln für die allgemeine Netzneutralität verwendet werden dürfen. Jede Abweichung von diesem Prinzip würde unweigerlich den Marktzugang zusätzlich erschweren und so das innovative Potential des gesamten Internets schwächen.

Wenn Internet-Provider für die bevorzugende Behandlung von Daten Geld verlangen dürfen, ist das ein zusätzlicher Anreiz, in die Infrastruktur des "normalen" Internet weniger zu investieren und ihre Kapazitäten nicht zu erweitern, damit möglichst viele Kunden auf Spezialdienste umsteigen. Das ist besonders für Minderheiten ein Nachteil, aber auch für Menschen mit Behinderungen sowie für Startups, die sich diesen besonderen Zugang zu all den Netzen, in denen sie ihre Kunden erreichen wollen, nicht leisten können. Es schädigt so die Entwicklung eines freien, offenen und innovativen Internet-Ecosystem.

Kommerzielle Diskriminierung (Zero-Rating) beeinträchtigt mein Recht nach Artikel 3(1) über freien Zugriff und im Besonderen über freie Verteilung von Information. Wenn ein Internet-Provider einzelne Lieferanten von Inhalten, Anwendungen und Diensten via Internet diskriminiert, indem er den Zugang jeweils verschieden regelt, ist dies ein willkürlicher Eingriff in die Essenz meiner Rechte. Ausserdem beschränkt es mein Recht unter der Grundrechts-Charta nach Artikel 11, 15(2) und 16. Deshalb darf eine kommerzielle Diskriminierung in den BEREC Regulierungen nicht zulässig sein.

Die Regulierung beinhaltet genaue Regelungen, was "zumutbares Regeln des Datenverkehrs" ist. Laut Artikel 3(3) muss die gesamte Regelung des Datenverkehrs so neutral wie nur möglich erfolgen. Klassenbasierte Datenverkehrsregelung (Class-based Traffic Management) hindert den freien Wettbewerb, es könnte möglicherweise bestimmte Anwendungen behindern oder sie beschädigen, es könnte den verschlüsselten Datenverkehr stören, es schafft Unsicherheit bei der Vermittlung von Inhalten durch Anwendungen oder Dienste-Anbieter, es behindert Innovation, es kann einzelnen Nutzern schaden und kann zu regulatorischer Überlastung führen. Daher ist die Anwendung von Klassenbasierten Datenmanagement dort, wo nicht-wertendes Datenmanagement ausreichen würde, weder notwendig noch den Verhältnissen entsprechend, es ist diskriminierend und intransparent für den Anwender.

Transparenz, so wie es die Kommission in ihrem ersten, mittlerweile abgelehnten, Entwurf der Regulierung vorschlägt, kann per se kein Gegenmittel gegen wettbewerbswidriges Verhalten sein. Transparenz kann, besonders in diesem Zusammenhang, nicht alle anstehenden Probleme lösen.

mit freundlichen Grüßen,  
Privat

Name: Tim Dornsiepen  
Email: [t.dornsiepen@gmx.de](mailto:t.dornsiepen@gmx.de)  
Confidential: No

---

Dear Sir or Madam,  
Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

Is there a demand for “commercial practices” such as zero-rating? Could these limit your rights as an end-user? Please provide examples.

In my view there is no there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars). Specialised services should must not include regular content and applications readily available - or capable of being made readily available - across the Internet. It is especially important that content and applications that are available over the Internet access service are not recategorised - as this would result in the exact opposite of net neutrality.

What could be the positive and negative impacts of specialised services on future innovation and openness of the Internet?

Price discrimination practices offering access to a limited part of the Internet would have a negative effect on consumers' rights. Any regulation of specialised services" which would allow a discriminatory "fast lane" for services that could otherwise be provided on the open Internet must be avoided, in order to protect freedom of communication, competition and innovation.

Is there a demand for specialised services? Which services should be allowed this special treatment?

In my view there is no there a demand for specialised services (i.e. services offered in addition to internet access that provide optimised connections to particular services like e-health or connected cars). Specialised services should must not include regular content and applications readily available - or capable of being made readily available - across the Internet. It is especially important that content and applications that are available over the Internet access service are not recategorised - as this would result in the exact opposite of net neutrality.

What information would you like to receive about your Internet connection, such as its speed, quality of service or how your traffic is managed?

Internet Service Providers (ISP) should tell the average available speed of their connection with a specification of the maximum and minimum speed in a user-friendly way, for example via a diagram or image. This means that ISPs should not be allowed to display the maximum possible speed as being generally available, as this would be misleading about the actual speed that is normally available.

Should the ISP be allowed to monitor your traffic, including its content (e.g. through deep packet inspection) for the purpose of traffic management?

The EU Regulation prohibits specific traffic monitoring. Practices such as deep packet inspection (DPI) undermine my right to privacy and go against EU data protection and privacy rules. In my view DPI is an invasive surveillance and censorship technology.

How much should your ISP be able to interfere with your Internet connection - for example to throttling or prioritise certain types of online traffic (video, P2P, etc)?

The EU Regulation requires Internet service providers to treat all traffic equally. There is however uncertainty about "special categories" of traffic. The Regulation says that the objective of reasonable traffic management is to contribute to an “efficient use of network resources and to an optimisation of overall transmission quality” , without the use of commercial criteria. If not properly clarified by

regulators, providers could use this potential loophole to apply disguised commercial criteria to arbitrarily classify certain categories of traffic, in order to prioritise one category over another. This discrimination would undermine net neutrality, to the detriment of free speech, innovation and openness

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself. Transparency has limited scope in fixing problems, particularly in this context.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Kind regards,  
Tim Dornsiepen

Dear Sir or Madam,

Please take this Stakeholder comment regarding the BEREC net neutrality guidelines creation into consideration.

My name/organisation:

Mathieu Roquefort

The diversity and innovative capacity of the Internet ecosystem is built upon the low cost of innovation and low barriers to market entry. These principles ensure that from day one, every enterprise, startup or non-commercial service – no matter how small or well funded – has the potential to reach a global audience in a manner equal to their competitors. This driving force for the prosperity and diversity of the online economy is only ensured by an open, neutral and non-discriminatory Internet. When ISPs are allowed to interfere with the decisions of their customers by economic or technical discrimination, this essential freedom is lost. According to Recital 1 of the Regulation on net neutrality, the legislation has to be interpreted in light of these goals.

The Regulation allows specialised services only under strict safeguards. Article 3(5) and Recital 16 require the optimisation of specialised services to be objectively necessary for the functionality of key features of the service. This cannot be the case with services that can also function on the open, best effort Internet. Furthermore, Recital 16 prevents specialised services from being used as circumvention of the general net neutrality traffic management rules. Any deviation from these safeguards to widen the applicability of the concept of specialised services would inevitably result in increased market entry barriers and thus weaken the innovative potential of the Internet as a whole.

When ISPs are allowed to charge for preferential treatment, they have an incentive to stop investing in network capacity for the "normal" Internet and reduce their data caps, to encourage their customers to increasingly use specialised services. This effect will be detrimental for minorities, disadvantaged people and startups that cannot afford special access to all networks in which they may want to reach customers, and the development of the free, open and innovative Internet ecosystem.

Economic discrimination (zero rating) interferes with my right under Article 3(1) to access and, in particular, to distribute information freely. When an ISP discriminates between providers of content, applications and services via an Internet access service by making them unequally accessible, this constitutes an arbitrary interference in the essence of my right. Furthermore, this practice restricts my rights under the Charter of Fundamental Rights (Articles 11, 15(2), and 16). Therefore, economic discrimination must not be allowed under the BEREC guidelines.

The Regulation has very clear rules on what constitutes reasonable traffic management. According to Article 3(3), all traffic management should be done in an application agnostic way, if possible. Class-based traffic management harms competition; it risks unintended damage to specific applications; it can discriminate against encrypted traffic; it creates uncertainty for content application and service providers; it stifles innovation; it can harm individual users, and can create regulatory overload. Therefore, applying class-based traffic management in situations where application agnostic traffic management would suffice is neither necessary, proportionate, transparent for the user, nor non-discriminatory.

Transparency cannot, as proposed by the Commission in its initial draft of the Regulation and subsequently rejected, be considered an antidote to anti-competitive behaviour in itself.

Transparency has limited scope in fixing problems, particularly in this context.

Kind regards,

A concerned citizen