

Introduction

The digital divide is a major source of inequity in the United States. (insert more info about the digital divide here). One of the key underlying issues causing the divide is the inconsistency of quality Internet access. To alleviate this one component of the digital divide, Internet access should be regulated as a public utility.

Background - what is this, and why is it a problem?

(insert general information about the digital divide and specifically the broadband gap here. Statistics and graphics are helpful)

The FCC actually did reclassify broadband as a utility in 2015, for the sake of enforcing net neutrality. The term “net neutrality” refers to a collection of rules preventing ISPs from blocking or slowing down applications or websites, as well as from offering prioritized consumer access to those sites in exchange for payment (Brodin, 2020). The FCC ultimately did not take any other regulatory actions to manage costs, but even these limited protections were repealed in 2018 (Brodin, 2018).

The Ethics

Access to reliable broadband is essential for living in the US in the 21st century. Access to information, public services, health care, and education are increasingly dependent on reliable internet access. (insert statistics about who doesn't have broadband and why it hurts them).

Regulating broadband as a public utility would allow better allocation of state and federal funding to ensure that expanding internet connectivity does not fall solely within the control of ISPs. Under the current system, they have no incentive to expand service to low-population areas; the expense of laying down infrastructure is not financially worth the limited profit they can earn from a location. As a result, people in poverty and especially in minority ethnic groups (add details/statistics here) are disproportionately affected by lack of broadband access. Opponents to regulating broadband as a utility argue that this solution does not actually address the problem; expanding broadband access is still expensive, especially in remote areas with dense forests and mountains (Wallsten, 2021). This can be improved by implementing a Dig Once policy, which mandates that fiber infrastructure should be installed while other right-of-way excavation is in progress. This can lead to a significant cost savings of 25-33% in urban areas and about 16% in rural areas. A Dig Once policy is still under discussion in Congress, but has already been adopted by some state and local governments (Aman, 2020).

Furthermore, regulation as a utility would allow for control of consumer rates. A significant amount of households (insert stats here) that do not have broadband in areas where it is available cite cost as a reason. Advocates for allowing the current free-market system for ISPs argue that regulating broadband as a utility creates monopolies, removing competition and

therefore increasing costs. However, many households (insert stats here) already face a monopoly due to only one ISP providing service to their address. ISPs that have a monopoly in an area (which often occurs in rural areas) can charge essentially whatever they want; areas with two or more ISPs available consistently show lower rates (insert stats here), but no incentive exists for other ISPs to expand into these areas. Current federal financial support exists for laying fiber in locations where it is not already present, but there is no support for a second or third ISP (citation needed). Even if such funding were available, laying fiber multiple times for different providers in locations where doing so is already expensive would be a tremendous waste of resources. Regulation as a utility would allow regulatory bodies to limit an ISP's ability to hike up prices, and would not leave rural areas to the mercy of whatever single ISP received enough funding to make it worthwhile to build the infrastructure.

An additional case that opponents of utility broadband make is that regulating broadband as a utility will stifle innovation and cause stagnation in the technology because of the lack of competition and limited profits. They point to electrical infrastructure as evidence of this (Downes, 2021). The problem here, however, is not that utilities are inherently immune to progress, but rather that the United States struggles to effectively fund the construction and maintenance of its infrastructure. Different experts and policymakers disagree on how best to address this, which slows down and often stops funding completely (McBride & Siripurapu, 2021). This is a policy failure, not a conceptual failure.

Works Cited:

- Aman, S. (2020, January 15). *Dig once: A solution for Rural Broadband*. USTelecom. Retrieved November 30, 2022, from <https://www.ustelecom.org/dig-once-a-solution-for-rural-broadband/>
- Brodkin, J. (2018, June 11). *Ajit Pai says you're going to love the death of net neutrality*. Ars Technica. Retrieved November 30, 2022, from <https://arstechnica.com/tech-policy/2018/06/ajit-pai-says-youre-going-to-love-the-death-of-net-neutrality/>
- Brodkin, J. (2020, May 23). *Making internet service a utility-what's the worst that could happen?* Ars Technica. Retrieved November 30, 2022, from <https://arstechnica.com/information-technology/2020/05/worst-case-scenario-why-the-cable-lobby-is-scared-of-becoming-a-utility/>
- Downes, L. (2021, December 5). *Opinion | why treating the internet as a public utility is bad for consumers*. The Washington Post. Retrieved November 30, 2022, from <https://www.washingtonpost.com/news/innovations/wp/2016/07/07/why-treating-the-internet-as-a-public-utility-is-bad-for-consumers/>

McBride, J., & Siripurapu, A. (2021, November 8). *The state of U.S. infrastructure*. Council on Foreign Relations. Retrieved November 30, 2022, from <https://www.cfr.org/backgrounders/state-us-infrastructure>

Wallsten, S. (2021, April 16). *Is broadband a public utility? Let's hope not*. The Technology Policy Institute. Retrieved November 30, 2022, from <https://techpolicyinstitute.org/publications/broadband/is-broadband-a-public-utility-lets-hope-not/>