
FCC Issues Long Awaited Comcast Order on Net Neutrality Violation

2008-08-21

On August 20, 2008, the FCC finally released the *Comcast Order*, deciding the complaint brought by Free Press and Public Knowledge claiming that Comcast's treatment of certain peer-to-peer traffic constituted an unreasonable network management practice. The Commission found that Comcast's network management practices were discriminatory and arbitrary, and did not constitute reasonable network management. The *Order* requires Comcast to disclose the details of its network management practices within 30 days, to submit a compliance plan detailing how it intends to stop these practices by the end of this year, and to disclose to the Commission and the public the details of any network management practices that it intends to deploy in the future. If Comcast fails to comply with any of these deadlines, the Commission will automatically impose injunctive relief, issue a show-cause order, and set it for hearing 30 days later. The Commission declined to impose any forfeitures or monetary penalties on Comcast.

The substance of the *Order* was long anticipated in the press and closely tracks the news release the FCC previously issued announcing its decision. [See](#) our recent Email Alert for details on this case.