

## Proposed FCC Privacy Rules for ISPs a Good Start

October 6, 2016 - The FCC is about to propose new privacy rules for Internet Service Providers (ISPs). The rules will regulate the information ISPs can collect, use and share with others from their consumer and business customers. While the new rules won't regulate all internet companies, they provide a good model for internet privacy and have the potential to be expanded to cover additional internet based companies.

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In laymen's terms, ISPs are the companies that you purchase your internet access from. They include companies like AT&T and Verizon. They don't include companies that provide their services over the internet, such as Amazon and Google; these companies are regulated by the Federal Trade Commission (FTC).

Because of this, the FCC rules will have a limited effect on internet user privacy. But it should be noted that there is nothing to prevent the FTC from adopting similar rules in the future.

Under the proposed rules, consumers will have to give their permission to their ISP to collect information on their internet browsing habits. They would also need to give their permission before their ISP can share their information with other companies or use it for advertising purposes.

Under the rules, ISPs would have to tell their customers when they sign up for their services what information they collect on them and how they use that information. This information would also have to be provided to their customers any time there is a major change to these policies. Additionally, ISPs would have at most 7 days to notify the FCC and 30 days to notify their clients of a data breach. In the event of a breach affecting more than 5,000 people, they would also be required to notify the FBI.

The rules prevent ISPs from refusing service, or charging more for service if customers choose not to be tracked. Unfortunately, they may allow ISPs to provide discounts to people who do give permission for tracking. This is likely to result in universal pricing schemes from ISPs that are higher than market rates today, but which provide substantial discounts to customers that allow tracking.

Even with these issues, if the rules are adopted they are likely to give consumers substantially more power over the information their ISPs collect on them and how that information is used. The FCC is set to vote on the rule changes on October 27th.

byJim Malmberg

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