

## **Net Neutrality Legal Battle Shifts to States**

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In the latest installment of the ongoing net neutrality legal battle, the [D.C. Circuit Court of Appeals](#) upheld the Federal Communications Commission's 2017 move to [repeal](#) Obama-era internet regulations. [Current FCC Chairman Ajit Pai](#) called the ruling a “victory for consumers, broadband deployment, and the free and open internet.” However, this decision may prove to be a hollow victory for the Republican FCC. Because the court also held that the FCC cannot preempt state internet regulations, states have a green light to enact their own net neutrality laws.

Net neutrality is the principle that all internet traffic should be treated equally, with no internet service provider (“ISP”) having the power to prioritize or stifle specific online content. [Proponents](#) argue that regulation of broadband companies ensures open access to information and boosts innovation. [Critics](#) assert that internet regulation discourages investment and overly constrains ISPs.

The majority of Americans [support net neutrality](#), and states have stepped up where the FCC has stepped down. After the Republican-led FCC's repeal of net neutrality regulations in 2017, dozens of states have introduced bills and resolutions to establish their own internet protections. Several states, including [California](#), have already enacted net neutrality laws. The D.C. Circuit decision is an important boost for these state efforts to regulate.

However, the D.C. Circuit ruling may also prove to be a hollow victory for net neutrality supporters and broadband providers. A patchwork of state-by-state internet regulations will be difficult for ISPs to navigate and may result in higher costs and slower services being passed onto consumers. Inconsistent internet regulations will also be problematic for ISPs like [AT&T](#) that recently invested in their own streaming services. Far from settling the net neutrality debate, the D.C. Circuit decision has potentially created fifty new legal battle lines.

