

## CADE evaluates net neutrality through impact on competition, agency official says

Jurisdiction : **Brazil / CADE / Latin America** 10 May 18 | 21:48 GMT Author: Ana Paula Candil

## **IN BRIEF**

The Brazilian competition authority looks at net neutrality through the lens of harm to competition and doesn't seek to enforce net neutrality itself, an agency official said.

The Brazilian competition authority looks at net neutrality through the lens of harm to competition and doesn't seek to enforce net neutrality itself, an agency official said.

For a telecom to favor some online services over others limits consumers' choices and isn't acceptable, said Cristiane Albuquerque, the general coordinator of antitrust analysis in regulated markets at the Administrative Council for Economic Defense, or CADE.

Speaking at an event\* in Brasilia, Albuquerque said CADE has analyzed only one case involving net neutrality so far, but she is watching how net neutrality is regulated in other countries, including the US.

In the CADE case, the agency looked into whether 'zero rating' of cell phone Internet plans by telecom companies is improperly discriminatory. Zero rating is the practice by Internet providers of not charging consumers for data use on specific websites. Critics say that zero rating gives those websites an unfair competitive advantage.

After a preliminary inquiry, CADE took no action in the matter. The agency's Superintendence said that zero rating has made innovation possible and fostered the emergence of new services and applications. It also said that such phone plans benefit consumers and increase competition among telecom operators (see here).

"Antitrust in Brazil is still getting accustomed to this new economy," Albuquerque said. "Net neutrality is certainly something we will discuss a lot at CADE and with the antitrust community."

\*"1st Seminar on Women in Antitrust." Ibrac. Brasilia, Brazil. May 10, 2018. Subjects : Antitrust Industries : Digital Industries, Internet Regulators / Courts : Brazil Courts, CADE Jurisdiction : Latin America, CADE, Brazil