Rejection of net neutrality would set an anti-competitive precedent by which telecommunications carriers are permitted to inspect the content of data packets so as to fix prices for their transmission. Such a precedent would go beyond levelling the playing field: it would establish an unfair, anti-competitive environment in which carriers would not be forced to compete with over-the-top services, because in a situation in which a small number of large telecommunications companies fixes the prices, those services could be charged arbitrarily high fees. Indeed, in 2015 Indian telecommunications provider Airtel tried to implement the first step of such a scheme, then swiftly backpedalled. The Body of European Regulators of Electronic Communications have rightly branded differential end-to-end fees “neither commercially nor technically realistic”. Market pricing mechanisms that account for high bandwidth usage on the end-user side already exist in the form of tiered pricing per gigabyte; charging the content-provider side differential rates amounts to charging doubly.

As one of the world's most influential democracies, the United States has great reason to uphold net neutrality in the sense of ensuring no discrimination by telecommunications providers against the data of particular content providers. The Internet is a medium for the free and plentiful speech that is the lifeblood of any democracy. Traffic management policies that are not biased against any particular set of content providers can be reasonable procedures in the context of limited transmission capacity. Fast-lane charges or other discrimination against particular content providers, though, is an entirely different matter which would thrust small providers – the voices of the people – into a lower class of service and would transform the Internet into a telescreen for corporate and state media.

There is a difference between unbiased traffic-management schemes that attempt to prioritise real-time applications such as SSH connections or VoIP, and anti-competitive traffic-management schemes that prioritise one or another higher-paying provider's content. The former improve the interactive experience for all users; the latter improves the bottom line for large companies and shuts out new entrants to the market. Simply put, telecommunications providers should not be permitted to charge content providers for 'fast-lane' access to their networks; allowing such a violation of net neutrality would fossilise the market by giving priority to the large, established content providers who have the funds to pay what is effectively a network-access bribe.

We already have seen, in large operators such as Comcast in the United States, what happens when throttling of certain providers' content or certain types and sizes of data transmissions is implemented secretively: this throttling is a tool to manipulate end-user sentiment – and thus to manipulate the market – without the end-users' knowing the sources and causes of their Internet usage experiences. An analogy is the common requirement in many stock exchanges to disclose company officials' sales of shares in their own companies: these officials ought not to be able to manipulate the market to their own advantage behind the scenes. Telecommunications providers ought thus not to be permitted to discriminate amongst data from different content providers. Existing market mechanisms such as tiered pricing at the user end suffice to regulate high-volume traffic such as streaming video; there is no need to duplicate such tolls at the provider end.