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Imagine if Steve Jobs, Larry Page or Mark Zuckerberg had been obliged to ask bureaucrats in Washington if it was OK to launch the iPhone, Gmail, or Facebook 's forthcoming Oculus virtual-reality service. Ridiculous, right? Not anymore.

A few days before the Independence Day holiday weekend, the Federal Communications Commission announced what amounts to a system of permission slips for the Internet. The agency said its July 2 public notice would help firms understand how its comprehensive and controversial Open Internet Order—which subjects the dynamic world of broadband, mobile, content, cloud and apps to public-utility oversight—will be applied in practice.

The new public notice, outlining the “Open Internet Advisory Opinion Procedures” turns upside down the historical presumption that Internet firms are free to innovate. In February, when the FCC voted 3-2 to adopt the 400-page Open Internet Order, critics said it was intrusive, overly broad and ambiguous. The fear was that arbitrary judgments and legal uncertainty could chill the feverish pace of digital innovation. And a feverish pace it is. In the week before the Open Internet Order’s initial rules went into effect in June, Apple launched its new music streaming service. Amazon revealed it is building an ambitious new online videogame. Google began offering nearly unlimited free storage of photos and videos, and it advanced its planning for “app streaming” from the cloud. Oculus unveiled its new Rift virtual-reality headset, a platform that will generate massive multimedia traffic on the Internet.

The FCC said its Open Internet Order regulations are needed to prevent Internet Service Providers from “blocking” and “throttling” content. But the evidence says the previous regime of Internet freedom was a rousing success. The U.S. today rules the world in mobile innovation and generates two to three times more Internet data traffic per capita

Democratic stalwarts quickly support McGinty's entry in U.S. Senate race	than most advanced nations.

The market value of seven American technology firms—Apple, Google, Facebook, Amazon, Oracle, Intel and Microsoft —totals $2.3 trillion, more than the entire stock markets of Germany or Australia. How long will this last if companies have to wait for FCC gatekeepers to prejudge the next wave of innovative digital products before consumers get to decide if they have value?

As the FCC begins to issue guidance and enforcement actions, it's becoming clearer that critics who feared there would be significant legal uncertainty were right. Under its new "transparency" rule, for example, the agency on June 17 conjured out of thin air an astonishing $100 million fine against AT&T, even though the firm explained its mobile-data plans on its websites and in numerous emails and texts to customers.

The FCC's new "Internet Conduct Standard," meanwhile, is no standard at all. It is an undefined catchall for any future behavior the agency doesn't like. And that's where the advisory opinions on the legality of new products and services come in. The advisory opinions are an attempt to clarify what the Conduct Standard means. Yet the Conduct Standard is vague and open-ended, while advisory requests from firms must be specific and based on real products. "A proposed course of conduct for which an advisory opinion is sought," the FCC guidelines state, "must be sufficiently concrete and detailed so as to be more than merely hypothetical; it must be sufficiently defined to enable the Bureau to conduct an in-depth evaluation of the proposal. In addition, the Bureau will not respond to requests for opinions that relate to ongoing or prior conduct."

And so, to request an advisory opinion, a firm must launch a project, making it "concrete," not "hypothetical." But the product or technology must also not be "ongoing." At what point does a hypothetical product become concrete, and at what point does a concrete product become ongoing? And because the advisory opinions—and the "detailed" requests—will be public, won't entrepreneurs and corporations worry about revealing proprietary information and strategies?

Large broadband firms may be able to navigate the new "advisory opinion" world, at least from a legal perspective. As with most regulation, however, smaller entrepreneurs will have a tougher time. Because the Internet relies on so many complementary and competitive relationships among network and content firms of all sizes, the overall effect is likely to slow experimentation.

Already, the rules are beginning to tip the scales toward some network firms but away from others. With FCC support, Netflix has signed new deals for free or near-free bandwidth from Time Warner Cable, AT&T and others. But sponsored data plans from Facebook, Pandora and Spotify—where the content firm pays the consumer's charges—are under suspicion and the FCC has said it would scrutinize them. Groups like the New America Foundation are calling for the prohibition of broadband data limits, which are currently ubiquitous in mobile plans. If data plans with limits are banned, the casual user who checks his emails a couple of times a day will subsidize the round-the-clock videogame player.

From the beginning, Internet pioneers operated in an environment of "permissionless innovation." FCC Chairman Tom Wheeler now insists that "it makes sense to have somebody watching over their shoulder and ready to jump in if necessary." But the agency is jumping in to demand that innovators get permission before they offer new services to consumers. The result will be less innovation. – ***Wall Street Journal* op-ed**

The owner of home shopping network QVC is acquiring five-year-old Internet retailer Zulily Inc. for $2.4 billion in cash and stock, the companies said Monday. QVC's parent, Liberty Interactive Corp. , said it will pay the equivalent of $18.75 per Zulily share, representing a roughly 49% premium to Zulily's closing price of $12.57 on Friday.

Seattle-based Zulily specializes in limited-time sales, also known as flash sales, and has expanded rapidly over the past five years to hit $1 billion in net sales last year. But its growth has slowed dramatically this year, highlighting the limits of its unusual business model, which is characterized by long delivery times of two to three weeks and a no-returns policy.

QVC is best known for selling merchandise over television and it also has an e-commerce site. The companies said that together they would have revenue of more than $10 billion. Zulily's chief executive, Darrell Cavens, has in the past often likened Zulily to the web's version of QVC, saying the two companies share similar selling approaches and customer bases of mostly women. Zulily went public in November 2013 after selling shares at $22 apiece. Within months, its shares surged above $70 as the company reported strong growth in sales and customers. In recent quarters, however, Zulily's sales growth has slowed and its shares have fallen 46% year to date. Liberty Interactive will pay $9.375 cash and 0.3098 share of a QVC tracking stock for each Zulily share. Zulily was halted premarket. – ***Wall Street Journal***

Waiting for Apple's breakthrough television service? You may have to wait a little longer.

While many were hoping that Apple would launch a new TV service at its usual fall iPhone event, Piper Jaffray analyst Gene Munster said in a note that the tech giant will probably delay the expected TV service until 2016. According to a report from Apple Insider on the investor note, Apple is still negotiating contracts with content providers. In the note, Munster said that he puts the chances of seeing the TV service debut at 50-50.

We've heard this tune before; many Apple observers expected that the company would release a streaming TV service this spring alongside Apple Music. But, after reports of protracted negotiations, those hopes faded even before Apple chief executive Tim Cook took to the stage. Competition in the streaming video space is more crowded than ever, as more and more traditional television and cable companies look to put their content on smartphones and tablets. Apple will have to compete not only with the likes of Netflix, Hulu and Amazon for consumer subscription dollars, but also with a growing number of networks and other companies such as Dish and Sony, which offer their own separate streaming services.

But coming late to that party doesn't necessarily spell doom for Apple. While the proliferation of streaming services is giving users more choice, it's also made for a confusing landscape. Cord-cutters have made it clear that they don't want fat cable bundles that force them to pay for channels they don't want. But paying for several, small services is also a pain. If Apple can waltz onto the scene with attractive, slim bundles that give users a good sampling of networks at a lower price, it will have a good market.

That's definitely a tall order, however, which may explain why there are so many delays. pple's reputation is for releasing polished products — even if its Web services, such as Maps, tend to be a bit less gleaming than its hardware — and its consumers are less likely to tolerate launch glitches. Just look at the launch of Apple Music. – ***Washington Post***

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