



Commodity Internet Downstream Policy

October 24, 2007

Scope:

This policy applies to all holders of NYSErNet contracts for commodity Internet access services at speeds of T1 or higher.

Background:

Prior to 1995, NYSErNet Members obtained Internet connectivity solely through NYSErNet, with NYSErNet contracting for the local loops and long distance data connectivity. NYSErNet provided technical support and, if desired, on-site maintenance of the Member's router by the long distance provider.

Beginning in 1995, NYSErNet's contractual agreements with its carriers changed, permitting NYSErNet Members to connect other entities to the commodity Internet through their own connections, a process known as "downstreaming."

To support NYSErNet Members wishing to provide access for other institutions through their commodity Internet connection, NYSErNet created a policy whereby institutions holding NYSErNet contracts for Internet access services could offer non-Member institutions Internet access via downstream. This policy specified, among other things, that NYSErNet be paid a fee for each downstream connection provided by a NYSErNet Member institution.

When instituted, the NYSErNet Internet1 Downstream policy was conceived as a cost-effective, short-term means of introducing new constituencies to the Internet. The contractual relationships constructed by the original policy safeguarded institutions against unforeseen and precipitous termination of service by an Internet Service Provider.

Since the creation of the I1 downstream policy, the ISP landscape has changed, commodity providers and access are ubiquitous, and affordable alternative connections are available to many of the downstream participants. Given the change in the commodity environment, NYSErNet maintains the following commodity Internet downstream policy:

Definition of Terms:

We begin with definitions of terms used throughout this policy document:

Hosting Participant: A Member in good standing of NYSErNet that receives commodity Internet services via a NYSErNet general services contract, chooses to provide a third party with a gateway connection to the commodity Internet, and assumes responsibility for the reliability and stability of the connection.

Downstream Participant: A third party organization whose connectivity to the commodity Internet is made by first connecting to the network via a gateway from a Hosting Participant.

A Downstream Participant connected in this way will sometimes be referred to as having "downstream access" or "backdoor access."

Downstream Access Policy:

1. NYSERNet recognizes that hosting of downstream participants can be an important part of a member's educational or outreach mission. NYSERNet recommends that each Hosting Participant create their own Downstream Policy, defining their own terms and criteria for Downstream Participants. Hosting Participants need not register nor seek NYSERNet review of Downstream Participants.
2. Hosting Participants are responsible for ensuring that Downstream Participant's traffic is consistent with NYSERNet's AUP as outlined in the General Services Agreement. NYSERNet recommends separate network numbers and domain names for Downstream Participants. Exceptions might include entities such as transient incubator facilities housed by the Hosting Participant.
3. Downstream Participant fees are established and collected at the discretion of the Hosting Participant.
4. Soundness of downstream connections, and resolution of problems in downstream connections, is the responsibility of the Hosting Participant. The Hosting Participant is responsible for service and troubleshooting for the Downstream Participant, which has no direct access to NYSERNet and/or its contracted service providers.
5. The Hosting Participant is responsible for all traffic routed through its Internet connection including traffic originating from the Downstream Participant. Any agreements between Hosting and Downstream Participants should contain the appropriate flow-down clauses of the NYSERNet Connectivity Agreement.
6. Due to the evolving nature of Internet interexchange points and the organizations that govern them, NYSERNet cannot guarantee global, ubiquitous access to the Internet for Downstream Participants.

Policy Review: Annual by NYSERNet President

Effective Date: January 1, 2001