

## **When Over-The-Top Is Over the Top: A Political Economic Analysis of Network Usage Fees in South Korea**

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This study investigates the disputes between global content providers (CPs) and South Korean Internet service providers (ISPs), notably SK Broadband (SKB), over network usage fees, which Korean ISPs argue global CPs—such as Google, Netflix, and Facebook—should pay because of the substantial network traffic they generate. Key cases include disputes between Facebook and the Korean Communications Commission (KCC), Netflix and SKB, and the Korean government’s legislation affecting Google (YouTube) Korea. These case studies are examined through the lens of critical political economy of communication, with emphasis on media hegemony. The case studies indicate that global CPs adopted multiple strategies to gain power over Korean ISPs. Although these strategies differed, they shared a similar hegemonic goal: creating a regulatory architecture where they did not have to pay network usage fees. We suggest that the battle between South Korean ISPs and global CPs is ultimately a battle for control over the global Internet.

*Keywords: network usage fee, Internet service provider, content provider, media hegemony, user protection*

In June 2021, the Seoul Central District Court ruled against Netflix in a case in which Netflix sued SK Broadband (SKB), a leading Internet Service Provider (ISP) in South Korea, seeking confirmation that it had no obligation to negotiate with or to pay network usage fees to SKB. “Network usage fees” refer to the costs that ISPs claim content providers (CPs) should pay to use their network, given the substantial traffic generated by global CPs, such as Google, Netflix, and Facebook. According to Korean ISPs, these global CPs generate high traffic volumes, resulting in considerable operational costs. Internationally, the European Parliament (2023) has defined network usage fees as fair contributions, mandating large traffic generators (e.g., Google and Netflix) to contribute to the network costs of European telecom operators. Until recently,

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<sup>1</sup> OpenAI was used to paraphrase and condense English sentences to reduce word count. All changes were manually reviewed and verified by the authors.

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the status of network usage fees (the EU's "fair share" debate) was unsettled, with recurring disputes between major global CPs and local ISPs in South Korea and Europe.

The Netflix-SKB lawsuit was not the first dispute in South Korea between a global CP and a Korean ISP over network usage fees. In 2016, Facebook modified its routing server paths for two Tier-1 Korean ISPs, SKB and LG U+, resulting in significantly slower access speeds for their users (KCC, 2018b). Consequently, the Korean Communications Commission (KCC)<sup>2</sup> fined Facebook 396 million KRW (approximately \$367,000 in 2018). Facebook appealed, and the Seoul Administrative Court ruled in Facebook's favor. The KCC appealed, but Facebook ultimately prevailed in both the appellate and supreme courts.

As Korean ISPs argued that certain global CPs avoided paying network usage fees while local platforms did not, the National Assembly proposed the "Network Free-Riding Prevention Act," which would mandate that global CPs contribute a fair share of network usage costs. From December 2020 to September 2022, seven amendments to the Telecommunications Business Act were proposed to prevent global CPs from free riding on Korean ISPs' networks. Demurring, Open Net, a nonprofit private organization sponsored by Google Korea, launched an antibilling campaign (Lee, 2022). Google Korea encouraged YouTube viewers to join the petition by displaying it on YouTube advertisements. Because of these actions, South Korea became a battlefield in which global CPs and ISPs vied for power over their networks and customers.

This study aims to elucidate the disputes between global CPs and Korean ISPs over network usage fees and to unpack the underlying hegemonic practices of both actors. To understand this global battle, three case studies are examined: *Facebook vs. SK Broadband (2016–2019)*, *Netflix Inc. vs. SK Broadband (2019–2023)*, and *Google (YouTube) Korea's (2021–current)* response to the Korean government's proposed legislation. Following a background section with case descriptions and methodological outlines, we analyze these cases through the lens of the critical political economy of communication and media hegemony. We then discuss the strategies global CPs and Korean ISPs employ to create a regulatory architecture for institutionalizing their hegemonic goals—by either paying or avoiding fees. We suggest that the battle between South Korean ISPs and global CPs is ultimately a battle for control over the global Internet.

## Background

### ***Network Usage Fee and Internet Interconnection in South Korea***

The network usage fee refers to the costs associated with using an ISP's network, an issue that has become increasingly important, as global CPs account for a significant share of total traffic. According to S. Kim (2021), more than one-third of SKB's traffic came from Google (25.89%), Netflix (4.81%), and Facebook (3.22%). Similarly, the Ministry of Science and ICT in Korea [MIST] (2022a) reported that Google (27.1%), Netflix (7.2%), and Meta (3.5%) were the top three generators of average daily traffic. In contrast,

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<sup>2</sup> The KCC, reorganized as the Korea Media Communications Commission in October 2025, is the regulatory agency overseeing broadcasting and telecommunications in South Korea. It also acts as an arbitrator in disputes between stakeholders. For consistency, this study refers to the agency as the KCC.

local platforms generated significantly less traffic: Naver (1.82%), Kakao (1.42%), and Wavve (1.8%) (S. Kim, 2021).<sup>3</sup> Although Korean CPs generate far less traffic than global CPs, they (begrudgingly) pay network usage fees to ISPs, a fact often overshadowed and rendered invisible by the larger dispute involving global CPs. Korean ISPs have argued that they cannot recover the costs of network installation, operation, and maintenance, as global CPs have refused to pay their fair share—unlike local CPs. However, some global CPs do pay network usage fees either directly (e.g., Facebook, via cache server arrangements with SKB) or indirectly (e.g., Apple TV and Disney+, via payments to CDN), suggesting an unacknowledged double standard between local and global CPs in South Korea.

This discrepancy can be explained by South Korea's interconnection rule, Sending Party Network Pays (SPNP). In 2016, settlement-free peering among ISPs was replaced by SPNP, which required same-tier ISPs to pay interconnection fees for the traffic they generated. Some argue that network usage fees represent ISPs' attempt to shift the burden of interconnection payments onto CPs (Gahnberg et al., 2022).

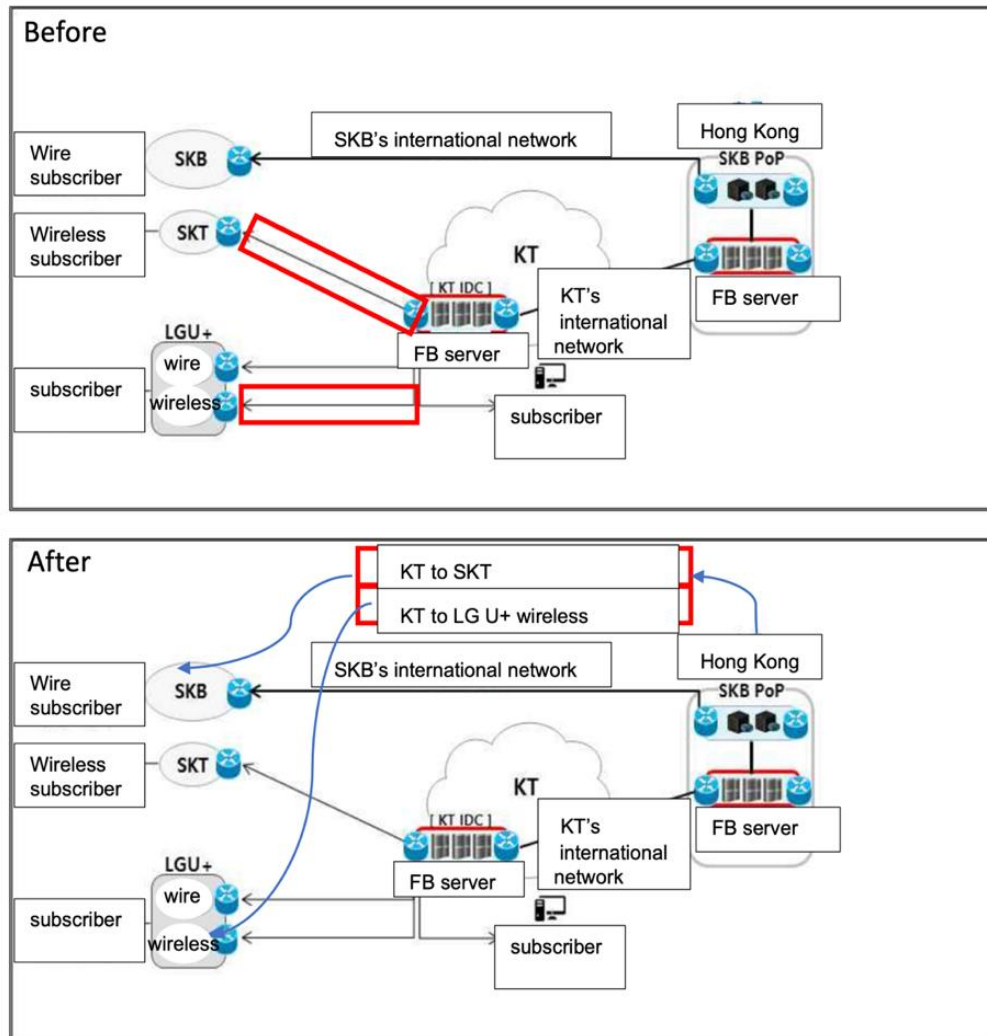
### ***Case Review: Overview of Disputes Concerning Network Usage Fee***

#### *Facebook vs. SKB*

In March 2018, KCC fined Facebook 396 million KRW (\$367,000) for what KCC deemed intentional routing changes. In December 2016, without prior notice, Facebook altered SKT's routing configuration. Initially, SKB was connected to Facebook's cache server in Hong Kong. After South Korea shifted its interconnection rule from settlement-free peering to paid peering, KT, which received data from overseas and transmitted it to SKB and LG U+, faced increased expenses and requested a new interconnection point. In response, Facebook rerouted SKT and LG U+ traffic through Hong Kong, changing SKT's routing from KT's cache server to a Hong Kong server located between Facebook's server and SKB's physical access point (PoP). This modification significantly slowed access speeds for LG U+ and SKB users by 2.4 and 4.5 times, respectively (KCC, 2018b). Figure 1 illustrates the routing change.

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<sup>3</sup> Naver is South Korea's leading search engine. Kakao operates "Kakao Talk," the country's most widely used messaging app. Wavve is a Korean OTT service.



**Figure 1. Facebook and SKB traffic flow before and after Facebook's routing.**

Source. KCC (2018b; KCC reconstructed based on materials submitted by relevant service providers).

Although Facebook never clarified its rationale, it was speculated that there were conflicts between Facebook and SKB over network usage fees and Facebook's desire to use SKB's cache server rather than pay the network usage fees (KCC, 2018a). Because of the adverse impact on users, KCC fined Facebook for the rerouting. In May 2018, Facebook Ireland Limited filed an administrative litigation to revoke the KCC's corrective order. At the time, Facebook sought to use SKB's cache server, while SKB demanded proper network usage fees (KCC, 2018a). On January 27, 2019, Facebook and SKB settled, with Facebook agreeing to pay 20 billion KRW (US\$15 million) in network usage fees (Layton et al., 2024).

*Netflix vs. SKB*

In 2016, when Netflix launched its service in South Korea, Netflix and SKB agreed to exchange traffic via the Internet Data Center (IDC) located in Seattle. However, as Netflix's traffic increased and reached 35 Gbps, the two parties agreed in June 2018 to interconnect via BBIX, a Japanese Internet Exchange (IX) provider based in Tokyo (Layton, 2022). As traffic continued to rise, they added interconnection at the IDC in Hong Kong. With escalating traffic, SKB requested Netflix negotiate network usage fees, but Netflix refused (Layton et al., 2024). Consequently, in November 2019, SKB filed for adjudication with the KCC, requesting that Netflix be ordered to negotiate payment of network usage fees.

Rather than wait for the KCC's decision, in April 2020, Netflix filed a declaratory lawsuit stating that it had no obligation to pay for the operation, expansion, and use of SKB's networks (Layton et al., 2024). In June 2021, the Seoul Central District Court dismissed Netflix's first claim, ruling that Netflix lacked the standing to request such confirmation. The court also rejected Netflix's separate claim, asserting that it was not obligated to negotiate network usage fees, thereby holding that Netflix was liable to pay SKB (Shin & Kim, 2021). Netflix appealed to the Seoul High Court on July 15, 2021, while SKB filed a counterclaim on September 30, 2021, demanding payment of network usage fees.

*Google Korea*

From 2020 through September 2022, the Korean National Assembly introduced seven bills collectively known as the Network Free-Riding Prevention Act, most of which would have required CPs to pay network usage fees. In response to these proposals, Google attempted to create a common-sense narrative by framing network usage fees as a violation of net neutrality and the open Internet. These efforts were advanced through Open Net, a nonprofit organization sponsored by Google Korea, and through YouTube Korea's official blog and YouTube channel. Google encouraged Korean YouTube users to participate in Open Net's antibilling campaign, titled "Protecting Net Neutrality." In October 2025, Senator Choi Soo Jin argued that Google should pay between 214.7 billion KRW (about \$149 million), based on the ratio of revenue paid by Korean CPs, and 347.9 billion KRW (about \$242 million), based on Google's share of traffic (Jie, 2025).

**Literature Review*****Media Hegemony and Platform Imperialism***

This study explains the disputes between global CPs and Korean ISPs through the lens of hegemony. The term "hegemony," popularized by Antonio Gramsci (1971), stems from class struggle. Specifically, a "dominant class" hegemony is formed through intellectual, moral, political, and economic processes and becomes accepted as "common sense" by subservient classes. Expressed differently, and defined by Thomas Bates (1975), hegemony "means political leadership based on the consent of the led, a consent which is secured by the diffusion and popularization of the world view of the ruling class" (p. 352). It underscores that ideology—and not just brute force—works in favor of political domination. Moreover, the creation and maintenance of hegemony takes constant effort: "in modern societies," writes Stuart Hall

(1987), "hegemony must be constructed, contested and won, on many different sites, as the structures of the modern state and society complexify and the points of social antagonism proliferate" (p. 20).

Enlisted for hegemonic labor are intellectuals, mass media, and cultural production (Carragee, 1993; Worth, 2015). In the media industry, Artz (2013) elucidated that firms achieve media hegemony when they become dominant in both political economic structures and market activities. In other words, media hegemony arises when a specific media system (e.g., production, distribution, and consumption) becomes dominant and is socially accepted as a norm (Artz, 2013). Media hegemony thus concerns ideological leadership and dominance, rather than total market control. The success of global media firms' models demonstrates how transnational media corporations attain this hegemonic leadership and dominance.

Historically, transnational media corporations have maintained media hegemony. In the past, U.S. TV networks and film studios extended this hegemony to developing countries (Artz, 2003). Hollywood films exemplified this dominance, spreading Western ideologies (Min, 2003). They distributed U.S.-made films abroad and conveyed the conventions of Hollywood film production. For instance, Min (2003) found that the seven narrative conventions of Hollywood films (Bordwell & Thompson, 2001) appear in Korean films. MTV Asia is another example of how media hegemony operates in Southeast Asia. Although headquartered in Singapore under the slogan "Think globally, act locally," the channel rarely programmed Southeast Asian songs, instead reinforcing Western pop and influencing the identity construction of young people across the region (Sowards, 2003).

Historically, transnational media corporations exerted hegemony primarily through control over media content and narrative form. For instance, Hollywood standardized its production model and narrative conventions, disseminating them across diverse local contexts (Min, 2003). As media consumption patterns evolved, global firms' strategies also shifted. Today, global (notably U.S.-based) CPs extend their hegemony through digital platforms and Internet networks, particularly with operating systems (Jin, 2017; Jin, 2025). Global CPs, especially Netflix, pursue global dominance while requiring local operators to adopt their production and distribution models (Jin, 2025). For instance, when Netflix first entered the Korean market, it pursued partnerships with Internet Protocol Television (IPTV) platforms, demanding a 9:1 profit split in its favor and using IPTV's IDC without charge (Dwyer et al., 2018). Additionally, Netflix wanted Korean ISPs to follow its Open Connect Appliance (OCA) program, which installs cache servers within the local ISP's network. Our article extends this research by focusing on how this global dominance through local subservience is a function of media hegemony.

Similar to media hegemony, platform imperialism examines power asymmetries between Western, primarily U.S.-based platforms, and those in developing countries (Jin, 2013). It particularly highlights how global digital platforms—including over-the-top (OTT) services like Netflix—have come to dominate global cultural markets (Jin, 2025). In terms of content production, Jin (2021) examined Netflix as a globally dominant platform that promotes its "algorithmic culture" (p. 173). In other words, platform imperialism operates through a model in which platforms invest substantial capital in local production companies. For instance, in Korea, according to Jin (2021), Netflix invested \$50 million in *Okja* (Bong, 2017) and \$1.7 million per episode of Netflix's series *Kingdom* (Lee, 2019). Netflix allocated massive budgets for content creation while also investing in local production companies. According to Jin (2021), a key strategy for

Netflix is collaborating with local media companies and significantly increasing its production investment in foreign markets, particularly in Asia. As U.S.-based platforms produce local content, domestic industries become increasingly dependent on these global intermediaries, allowing global platforms to profit from local cultural production while leaving local creators without fair compensation (Jin, 2025). However, the scale of investment differs so significantly that local production firms cannot compete with global players in terms of cost and quality.

While platform imperialism has largely centered on cultural production, our analysis focuses on the core infrastructure of distribution, analyzing the power relations between global content platforms and local infrastructure providers. Within the broad umbrella of platform imperialism, we employ media hegemony to examine power asymmetries in infrastructural mediation, including interconnection and peering. Media hegemony covers content and platforms and leadership over technological infrastructure, particularly the Internet.

For content transmission over networks, global CPs have their own models and require local ISPs to follow their norms. Rather than using established ISP backbones, Netflix has built and distributed its own Open Connect content delivery network (CDN) infrastructure (Böttger et al., 2018). Since 2011, Netflix has built its own CDN—storing video and audio content on servers near end users—to control distribution infrastructure (Lobato, 2019). Other CPs use a cache server model, which stores frequently accessed content to reduce delivery time. In South Korea, for instance, Facebook suggested that SKB should establish a cache server; three ISPs also contracted with Google for similar arrangements. However, as media hegemony can only be attained through consent, the leadership of transnational media corporations remains inherently unstable (Artz, 2003). This instability implies resistance, which can take the form of social and political movements or institutional interventions, such as government regulations (e.g., taxation on foreign films or screen quota; Artz, 2003; Min, 2003). Therefore, we infer that global content providers (CPs) seek to establish hegemonic control in Korea's network usage fee conflicts, while local ISPs develop counterstrategies that function as forms of resistance.

Thinking through the development of media hegemony, which runs the gauntlet between cultural production and infrastructural architecture, and the ongoing debates over network usage fees in South Korea, we derived the following research questions:

*RQ1: What are the power dynamics between global CPs and Korean ISPs concerning network usage fees?*

*RQ2: What are the strategies of global CPs and Korean ISPs to gain power over each other concerning network usage fees?*

### **Method**

To better understand the hegemonic relationship in these cases, this research relies on a methodological approach of case studies and critical political economy. The analysis focuses on three disputes: (1) *Facebook vs. SK Broadband*, (2) *Netflix Inc. vs. SK Broadband*, and (3) the Korean government's proposed bills and Google (YouTube) Korea. These cases were selected because they

represent major disputes over network usage fees between global content providers and Korean ISPs or the government.<sup>4</sup> As Corrigan (2024) notes, case studies are an appropriate methodological choice for political-economic analyses. For each case study, the authors collected and analyzed legal documents (e.g., court rulings), official announcements of firms, and news articles. For the Facebook-SKB case, the court's ruling (KCC vs. Facebook) and news articles on Facebook's and SKB's opinions were used. For the Netflix-SKB case, the first district court's ruling and news articles for the appeals court were used. For the Google (YouTube) Korea case, the study analyzed materials from YouTube Korea's official channel and blog posts, as well as Open Net's posts.

Case studies are also a standard methodological approach within media policy. While we cannot generalize from cases, they nonetheless offer opportunities to delve deeply into specific examples (Broughton Micova, 2019). They are particularly valuable for media and communication policy research; as Sally Broughton Micova (2019) explains, "we are often confronted with fast developing changes in the media and communication environment that need to be understood and explained" (p. 72). The goal of a case study is "to get an overall picture from different kinds and sources of information, a bit like putting together pieces of a puzzle" (Broughton Micova, 2019, p. 81). In this research, we relied primarily on official policy and court documents, news articles, and press releases.

In keeping with media hegemony, which fundamentally seeks to understand the powerful dynamics between actors, we relied on the critical political economy of communication to ground our case study analyses. Critical political economy focuses on "the social relations, particularly the power relations, that mutually constitute the production, distribution, and consumption of resources, including communication resources" (Mosco, 2009, p. 2). As such, it is appropriate to unpack the hegemonic dispute between global CPs and Korean ISPs. Critical political economy is particularly attuned to policy issues since they are "the nucleus of the atom," as McChesney (as cited in Corrigan, 2024, p. 12) describes them. They are so because "government policies and subsidies play a foundational role in establishing media systems" (Corrigan, 2024, p. 12). The political economy of communication, with its focus on power, policy, and resources, provides the foundational theory and lexicon to unpack the hegemonic disputes between global content providers and local service providers over control of the global Internet. Our method of analysis loosely resembled thematic coding analysis (Braun & Clarke, 2006; Gibbs, 2007). Through comparative analysis, we identified key themes that guided our conclusion. For each case, we inferred latent meanings and used media hegemony as an interpretative framework while incorporating emergent themes (Joffe, 2011).

## Cases

### ***Case 1: Facebook vs. SKB (2016–2019)***

The legal dispute between Facebook and the KCC centered on whether Facebook's routing changes significantly harmed users' interests under the Telecommunications Business Act and its amendment, which imposed an obligation on CPs to secure service stability. This case explores the conflict between Facebook

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<sup>4</sup> Twitch was excluded because of the absence of notable strategies to achieve hegemonic goals and ultimately exited Korea.

and SKB, primarily concerning disputes over network usage fees.<sup>5</sup> Facebook adopted two significant strategies: framing the Korean interconnection rule as a root cause and agreeing to pay the fee.

#### *Framing the Interconnection Rule*

Facebook criticized Korea's interconnection rule, claiming that it caused an increase in network usage fees while allying with domestic CPs. After the 2016 revision of the rule, the cost of Internet access surged significantly, which Facebook argued led to higher network usage fees. For instance, in 2016, two major Korean platforms, Naver and Kakao, paid network usage fees of 72.4 and 30 billion KRW (US\$54.76 and US\$22.69 million), respectively, to ISPs. As a result, domestic CPs and media platforms criticized network usage fees, highlighting problems with the interconnection rule (e.g., K-Internet, 2019).

On August 26, Facebook, Google, Netflix, Naver, Kakao, and other domestic CPs released a joint statement calling for the Korean government to revise the structure for calculating network usage costs, arguing that the 2016 interconnection rule had significantly increased network-related costs. The next day, Facebook held a press conference criticizing the rule (central to its litigation with the KCC) and denying it had intentionally degraded user service quality (Ahn, 2019). Facebook Korea's vice president, Park Dae-Sung, stated:

With the revision of the interconnection regulation, an environment was created in which network costs could increase. In the end, it became a structure where users also have to pay. I think it was also a negative change for the cooperative relationship between CPs and telecom companies. [. . .] Because of the shift from settlement-free peering to [senders] paying for data, it created an environment where network usage fees kept increasing. (Ahn, 2019, paras. 1, 5)

Here, Facebook framed the interconnection rule as the root cause of the network usage fee issue. Facebook's victory over the KCC in both the first and appellate courts appeared to reinforce this framing.

#### *Paying Network Usage Fees*

Another strategy adopted by Facebook was to agree to pay a considerable amount of network usage fees over a two-year period. On January 27, Facebook consented to pay fees related to the installation and operation of its cache server within SKB's data center (Kim, 2019). Furthermore, according to Kim (2019), Facebook agreed to partially cover SKB's interconnection fee payable to KT. However, because of the confidentiality clause in the contract, the exact amount and scope of the payment remain undisclosed. Estimates suggest the figure is around US\$15 million (Layton et al., 2024).

The agreement between the two parties primarily concerned the installation of a cache server in SKB's data center and the associated operational costs. During the court case against Netflix, SKB argued

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<sup>5</sup> While Facebook never directly claimed a concern with network usage fees, KCC consistently insisted this was the case, hence its inclusion in this article as a case study.

that the cache server had a limited impact on reducing traffic and that installation cost was not expensive. This suggests that the installation of the cache server may neither have been part of Facebook's original plan nor the best option for SKB. Nevertheless, the agreement offered SKB several advantages, serving as a precedent for future negotiations with both global and domestic CPs. Additionally, since Facebook generated far less traffic than Google or Netflix, it may have reasoned that the financial burden would be relatively small and that reaching an agreement would be strategically beneficial.

### ***Case 2: Netflix vs. SKB (2019–2023)***

The dispute between Netflix and SKB centered on three main points: (1) participation in Netflix's Open Connect Appliance (OCA) vs. paying network usage fees, (2) access vs. delivery, and (3) discourses on neutrality.

#### *Participating in Netflix's OCA vs. Paying Network Usage fees to SKB*

According to the court's ruling, SKB and Netflix began e-mail exchanges on October 22, 2018, when SKB first requested that Netflix contribute to international network expenses. SKB proposed that if Netflix paid an appropriate share, SKB would install a cache server within its network. In response, on November 5, 2018, Netflix suggested continuing discussions, explaining that Netflix was doing its utmost to reduce the burden on telecommunications carriers. Netflix also highlighted its global interconnection infrastructure and other proven effective methods. In this initial discussion, Netflix attempted to establish its OCA model, which installs a cache server within SKB's network, while SKB emphasized the need for cost sharing.

SKB persistently sent e-mail requests to Netflix from November 14, 2018, to April 22, 2019. On December 18, 2018, SKB stated that, because of the surging traffic from increased Netflix subscribers, the cost related to network access had become substantial, and that this issue should be resolved jointly by SKB and Netflix. On January 4, 2019, SKB notified Netflix that it had expanded its international network and server links at its own expense, arguing that this expansion served both SKB customers and Netflix users. In doing so, SKB attempted to combine the concepts of content access and transmission to justify Netflix paying its fair share.

On April 22, 2019, SKB expressed its willingness to resolve the issue by contracting a reasonable cost-sharing agreement for network expansion and cache server installation. This indicates a moderate shift in SKB's stance from merely seeking cost support for network operation to cost sharing for either network expansion or cache servers. However, Netflix maintained its position, repeatedly proposing to install the cache server at its own expense (May 3, 2019). On June 3, 2019, SKB reiterated that Netflix should bear the costs related to network usage.

Before the June 3 e-mail, SKB referred to these costs as network expansion, but after that exchange, it used the term fees for using the network. Four months later, on October 2, 2019, SKB explicitly used the term *network usage fee* and specified its potential components—costs associated with expanding network capacity and managing the network. Although SKB acknowledged Netflix's proposal to establish the

OCA free of charge and understood Netflix's position that this was the most effective solution for both parties, it continued to insist on Netflix's payment.

However, Netflix insisted that joining its Open Connect program, as other ISPs had done, would resolve the network expansion issue. In a February 4, 2020 e-mail, Netflix stated that SKB could avoid network expansion costs by installing Netflix's cache server on SKB's network. SKB subsequently countered in a March 4, 2020 e-mail that Netflix should contribute its fair share to the Korea-Japan network expansion costs and pay network usage fees in Korea, explicitly requiring both. In response, Netflix showed its willingness to engage in discussions and stated that adopting the OCA would eliminate the need for interconnection capacity expansion and enhance users' viewing experiences.

For both Netflix and SKB, the primary conflict and strategy centered on adopting the OCA program versus paying network usage fees. Regardless of its technical effectiveness, urging another party to conform to one's norm could be seen as a strategy to gain hegemonic power. According to a statement by Netflix Korea (2022a), SKB is the only ISP among 7,200 worldwide that requires Netflix to pay such fees. Netflix also argued in the appeals court that ISPs adopting the OCA for free could deliver content more stably and efficiently without incurring unnecessary costs. Netflix thus aimed to gain an upper hand over SKB by advocating for the OCA program. However, as the second largest ISP in South Korea, SKB resisted, worrying that accepting the OCA might prompt domestic CPs to refuse to pay fees. Meanwhile, two other tier-1 ISPs, KT and LG U+, had adopted Netflix's OCA system, suggesting its technical effectiveness. Therefore, SKB's rejection of the OCA and insistence on a network usage fee can be interpreted as a counter strategy to resist Netflix's hegemonic influence.

#### *The Essence of Network Usage Fees: Content Access vs. Content Delivery*

The second point concerns the concept of content access and delivery. According to the court's ruling, Netflix argued that access (being connected to the endpoints of the Internet) and delivery (providing requested content to users) should be treated separately. Netflix argued that its duty ends at the connection point (access), while SKB is responsible for transmitting the content to end users (delivery). As Netflix provides content data to cache servers in Hong Kong or Japan, the final delivery to end users within Korea falls to SKB. However, SKB countered that access necessarily includes delivery and that the two cannot be explicitly distinguished. SKB added that it provides Internet access services used by Netflix and asserted that Netflix uses SKB's network resources to serve its subscribers, thereby owing an obligation to pay network usage fees. Since SKB's notion of network usage fees includes the costs of delivery, delineating the scope of delivery became pivotal. Figure 2 illustrates Netflix's and SKB's arguments about the conceptual framework of network usage fees.

## SKB's argument



## Netflix's argument



**Figure 2. Netflix's and SKB's arguments on access and delivery.**

Note. The figure was created by analyzing the arguments of both parties and referencing a visual originally submitted by SKB during the third hearing, which was reproduced in Y. Kim's (2021) article (paras. 14–15).

Netflix countered that under the longstanding convention of settlement-free peering, an established Internet practice, content delivery should not incur additional traffic costs (Netflix Korea, 2022b). SKB countered that there is no such principle of free content delivery and that Netflix profits from using SKB's domestic and international networks to send large volumes of data. These contrasting interpretations of Netflix's delivery being free and SKB's delivery entailing costs were further extended to net neutrality (Layton, 2022).

#### *Network Usage Fees and Net Neutrality*

The final issue is whether imposing network usage fees violates net neutrality. During the first court hearing, Netflix argued that demanding payment for network usage fees violates net neutrality, claiming that content delivery on the Internet is free (Layton, 2022). Netflix contended that the delivery of content to end users is SKB's responsibility, as the network is used by SKB's subscribers; therefore, Netflix argued that SKB's demand for network usage fees constitutes a violation of net neutrality (Shin & Kim, 2021). SKB countered that net neutrality primarily prohibits discriminatory practices. In addition, SKB argued that the Internet network operates as a two-sided market where end users and content providers such as Netflix use the network; therefore, Netflix has an obligation to pay a corresponding fee, and the request for network usage fees is unrelated to the principle of net neutrality (Shin & Kim, 2021). The Seoul Central District Court (2021) ruled that paying network usage fees is irrelevant to net neutrality. As a result, Netflix abandoned

the net neutrality claim in its appeal, instead asserting that it had established settlement-free peering with SKB based on the Bill and Keep principle—an interconnection arrangement in which no payment is exchanged between carriers for traffic (DeGraba, 2000). Netflix further emphasized that both parties had operated under this settlement-free peering since January 2016, and that SKB even reinforced this relationship by opening new peering points and expanding capacity (Netflix Korea, 2022c).

This demonstrates Netflix's attempt to frame network usage fees as a violation of net neutrality. However, as the first court rejected Netflix's claim, the company shifted its strategy. Netflix's reliance on the net neutrality discourse and the Bill and Keep principle can be understood as discursive tools to strengthen its argument. The discourse on net neutrality prompted significant criticism from Korean users toward SKB, as many perceived the network usage fee as a violation of net neutrality, raising questions about why SKB sought payments from Netflix despite already charging its subscribers. For instance, viewers criticized ISPs and network usage fees and expressed concerns about net neutrality, as seen in overall comments on a YouTuber's video (Just 1 Minute, 2022). Thus, we conclude that the net neutrality discourse was employed strategically to influence public opinion.

On September 18, 2023, Netflix announced a strategic partnership with SKB and SKT to enhance customer entertainment experiences (Netflix, 2023). Both parties mutually withdrew their lawsuits, which had been ongoing for three years. In 2024, SKB integrated Netflix into its IPTV services and introduced a range of bundled plans:

Netflix, one of the world's leading entertainment services, SK Telecom and SK Broadband, today announced a strategic partnership to provide better entertainment experiences to their customers. By teaming up with Netflix, SK Telecom and SK Broadband aim to help customers enjoy Netflix shows and films on mobile devices and IPTV (B tv) with easier access and payment options. SK Telecom and SK Broadband will offer various price plans and products, including bundled packages. (Netflix, 2023, paras. 1–2)

SK Broadband anticipated that the launch of this bundled pricing plan would not only expand the media viewing experience by enabling its IPTV service, B tv, to integrate live broadcasts, VOD, and OTT with the global streaming service Netflix but also generate additional revenue. (Kim, 2024, para. 3; SKB, 2024)<sup>6</sup>

Clearly, a strategic partnership would be mutually beneficial for both Netflix and SKB. For Netflix, a court ruling (either appellate or Supreme) in favor of SKB could have established a precedent enabling foreign ISPs or governments to demand similar payments. Considering the German court's decision that required Meta<sup>7</sup> to pay network usage fees to Deutsche Telekom, a Korean court ruling for SKB might have triggered comparable obligations across the EU. Furthermore, seven pending bills that posed potential legal barriers to Netflix were withdrawn following the partnership. By paying 40 billion KRW (approximately US\$30

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<sup>6</sup> As of 2026, SKB no longer provides full text access to press releases issued by November 25, 2025; we therefore also cite a news article that includes the original statement.

<sup>7</sup> In 2021, Facebook changed its parent company name to Meta.

million) to SKB to form a strategic partnership, Netflix avoided an unfavorable precedent and solidified its position in the Korean market. Meanwhile, SKB avoided further legal costs while leveraging Netflix's brand power to promote its pay-TV business (Yoo, 2023). In the end, commercial interests eclipsed all previous legal disputes.

### **Case 3: Google (YouTube) Korea (2021–Current)**

Google accounts for 25.89% of SKB's traffic (S. Kim, 2021) and 27.1% of daily Internet traffic in South Korea (MIST, 2022a). The Seoul Central District Court estimated Netflix's network usage fee for 2020 to be 27.2 billion KRW (about US\$19.78 million in 2025). Given Google's substantially higher traffic volume, its potential fees would be nearly four times higher than Netflix's. This suggests that the proposed amendments to the Telecommunications Business Act, which impose network usage fees on global content providers, could pose a significant challenge for Google. Consequently, Google has actively tackled this issue by using its resources, such as the YouTube blog and YouTube, to shape public narratives. To shape public common sense about network usage fees, Google framed the issue as harmful to the creator community and opposed the proposal in the name of protecting net neutrality.

#### *Harm to the Creator Community*

First, Google Korea strategically used its YouTube blog and YouTube channel to shape public opinion. On April 20, 2022, Gautam Anand, Vice President of YouTube Asia-Pacific, posted "An Update on the Legislation of Network Usage Fee, Addressed to the Korean Creator Community" on YouTube Korea's official blog (Anand, 2022a). Anand expressed concern that if the bill were passed, YouTube Korea would face heavy fees that could limit its investments in the Korean creator ecosystem:

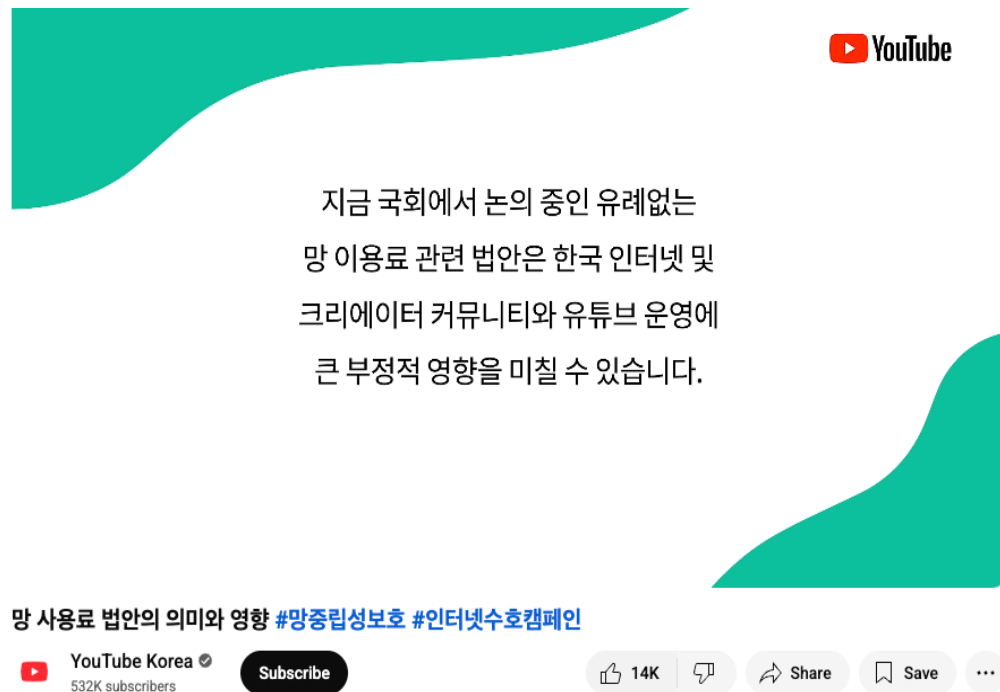
If the proposed amendments are legislated, they may have significant implications for the Korean creator community. Furthermore, they could hinder YouTube's ability to continue making investments essential for the success of Korean creators. [ . . . ] The additional costs arising from the proposed legislative changes could directly impact YouTube's business in Korea. This, in turn, suggests that YouTube may struggle to maintain the level of investment necessary for the thriving Korean creator ecosystem to receive the support it rightfully deserves. (Anand, 2022a, paras. 4, 6)

He also requested that the Korean National Assembly reconsider the amendment, emphasizing the creator community's contribution to the Korean economy and YouTube's role in supporting it.

On September 20, 2022, Anand (2022b) published another post, "Sharing the Content of the National Assembly Discussion Regarding the Law." The post expressed the unified opinion that the creator community could be destroyed or damaged if the law was passed. Anand (2022b) argued that the bill could harm the creator community by enabling ISPs to impose double charges on both CPs and consumers, thereby harming both CPs and creators, and stated that YouTube might need to reconsider its business operations in Korea. He emphasized that YouTube Korea contributed more than 2 trillion KRW (about US\$1.5

billion) to Korea's GDP in 2021 and created 86,000 full-time equivalent jobs, calling on readers to join Open Net's petition against the proposed bills.

On September 30, 2022, YouTube Korea uploaded a 29-second video, "The Impact and Significance of the Network Usage Fee Law," to its official YouTube channel (YouTube Korea, 2022). The video featured statements from Asian Boss (a YouTube channel with 3.98 million subscribers as of January 2026 focusing on Asia-related news; Asian Boss, n.d.), the CEO of Sandbox Network (a Korean multichannel network), and a cofounder of Open Net. The video highlighted three concerns: (1) its failure to support K-content's long-term potential, prioritizing short-term benefits for telecom companies; (2) its potential to harm the content ecosystem and hinder creators' growth; and (3) the potential restrictions it could impose on both creators and Korean consumers. The video concluded with the message: "The unprecedented network usage law currently being discussed in the Korean National Assembly would negatively influence on Korean Internet and creative community, and YouTube management" (YouTube Korea, 2022, 00:0:19–00:0:21; see Figure 3), and encouraged viewers to join Open Net's petition.



**Figure 3. YouTube Korea's (2022) video clip (00:0:19–00:0:21).**

Note. The hashtags are #ProtectingNetNeutrality and #PetitionToProtectTheInternet.

Thus, one of YouTube Korea's strategies was to frame the law as harmful to the Korean creator ecosystem. This led to another strategy in which Google, through YouTube Korea, sought to shape public perception around the issue. Notably, Google marshals its immense resources, including YouTube, to influence public opinion.

*Protecting Net Neutrality*

Besides emphasizing the creator ecosystem, YouTube Korea framed the proposed amendments as a violation of net neutrality. In its video (YouTube Korea, 2022), YouTube Korea used the hashtags *#ProtectingNetNeutrality* and *#PetitionToProtectTheInternet*, implying an attempt to link the legislation with net neutrality and open Internet. YouTube Korea also argued that the Korean government might violate net neutrality and that ISPs were seeking to occupy the Internet, which should be open to all. At the end of the clip, YouTube Korea encouraged viewers to join the campaign through Open Net and promoted the petition across Google and YouTube. Furthermore, two related links were included in the description: one to YouTube Korea's September 20 blog post and another to Open Net's (2022) petition.

As shown in Figure 4, Open Net's petition argued that passing the bill would harm both net neutrality and the open Internet. In its explanation, Open Net stated that net neutrality enables creators to freely share their videos with millions of viewers worldwide and warned that the proposed law would undermine this principle. For instance, it argued that under the network usage fee law, there would be no BTS arguing:

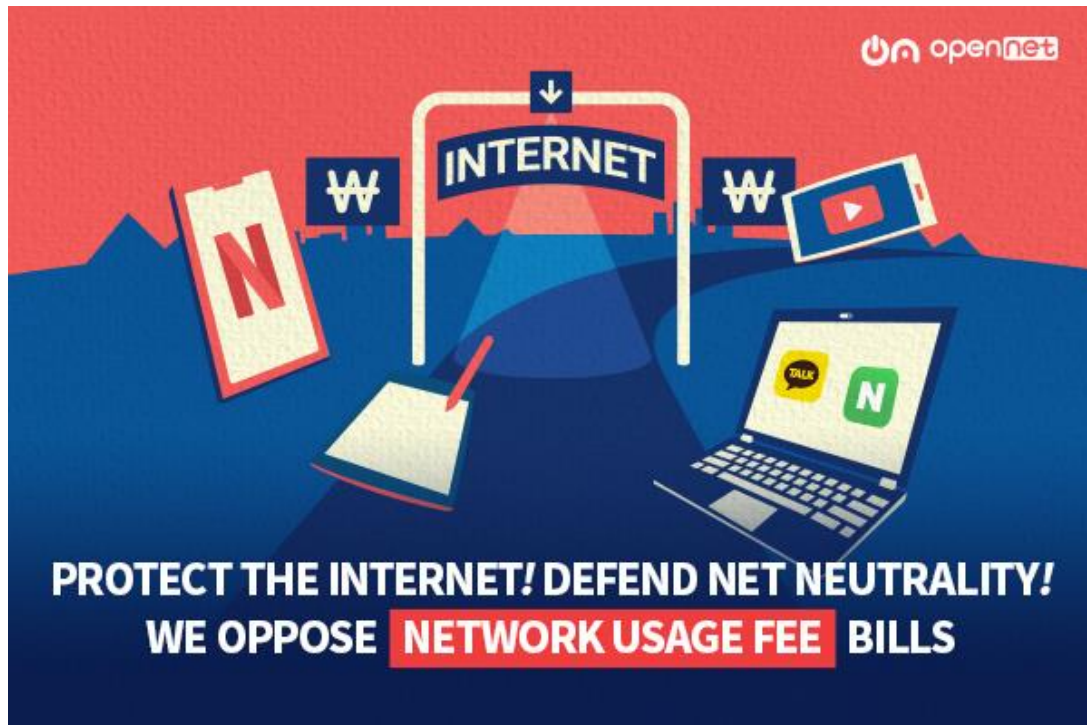
If content creators have to pay every time people view their content, the world's most viewed videos such as Baby Shark (Pinkfong, 2016) [10.2 billion views] or Gangnam Style (Officialpsy, 2012) [4.4 billion views]<sup>8</sup> could not exist. Could BTS or *Squid Game* (Hwang, 2021–2025) achieve that popularity? (Open Net, 2022, para. 16)

Here, Open Net framed the issue in a way that blurred the distinction between platforms—that ISPs require to pay—and creators—who upload content on those platforms—thereby reinforcing its argument that the legislation would harm the creator community and violate net neutrality. YouTube Korea reflected Open Net's stance by including its statements and a petition link in both its official blog post and a YouTube clip, urging viewers to participate.

Open Net, however, was accused of representing Google's interests. During a 2022 National Assembly audit (Jie, 2023) and in a 2023 press release by Senator Byun Jae-il (Byun, 2013), it was revealed that Open Net received 1.7 billion KRW (approximately US\$1.28 million) from Google between 2013 and 2021, and Google was the sole donor at Open Net's founding in 2013, contributing 300 million KRW (approximately US\$226,449). Exclusively funded by Google, Open Net became Google's mouthpiece on this issue.

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<sup>8</sup> Open Net's English translation states 100 million and 44 million; however, in its original petition, they are 10.2 billion and 4.4 billion views. As of January 30, 2026, they reached 16 billion and 5.8 billion views.



*Figure 4. Main screen of Open Net's (2022) petition.*

#### **Discussion: Media Hegemony Toward Open Internet and Consequences on Users**

Three cases indicate how South Korea has become a battleground between global CPs and ISPs. Each global CP employed distinct strategies to gain power over Korean ISPs, while SKB consistently appealed to regulatory authorities. Despite differences in approach, global CPs share a common hegemonic goal: creating a regulatory architecture where they do not have to pay network usage fees. They justify this stance by invoking the original concept of an open and free Internet, arguing that content delivery should remain unrestricted. Some also cited the Bill and Keep principle, arguing that ISPs should not impose fees on CPs whenever users access content. This hegemonic pursuit of ideological dominance is accompanied by strategies that frame the debate around user rights and net neutrality.

Global CPs argue that network usage fees impose financial burdens that could reduce profits and potentially harm audiences and creators by limiting investment in content development and acquisition. They further frame network usage fees as detrimental to end users. Although global CPs could theoretically save costs compared with domestic competitors, since they are not required to contribute to domestic content promotion funds, their hegemonic strategy is to frame network usage fees as harmful to both end users and creators.

Lastly, global CPs frame network usage fees as double billing or as a violation of net neutrality. The court accepted SKB's argument that the Internet operates as a two-sided market where both

subscribers and content providers act as independent users of the network (Shin & Kim, 2021). Nevertheless, global CPs continued to emphasize the double-billing narrative. Netflix initially advanced the net neutrality argument, but withdrew it on appeal, as the first court ruled that it is irrelevant to net neutrality. Conversely, YouTube Korea reproduced the discourses developed by Open Net and encouraged YouTubers to create and share the discourses. By spreading these narratives through YouTuber content and viewers' commentary, Google attempted to shape public perception that network usage fees threaten the open Internet.

In response to global CP's hegemonic strategies, SKB argued that the concept of free delivery has never existed in Internet history. SKB's main approach involved presenting empirical data on increased traffic and advocating for new legislation. Rather than framing the issue to shape public opinion, SKB has relied heavily on regulatory and administrative agencies. For instance, in the SKB—Netflix case, SKB filed for adjudication with the Korean Communications Commission. For SKB, press engagement was a secondary, but deliberate tactic.

The case of network usage fees in South Korea demonstrates the ongoing relevance of media hegemony theory. While new theoretical models like platform imperialism or digital sovereignty have emerged, media hegemony reminds scholars that policy battles are not always about power asymmetries between global platforms and local actors, nor are they won and lost in legislation and courtrooms. Instead, media hegemony demonstrates how both global and local actors wield power to shape common sense through public opinion.

The battle over South Korean networks thus played out across multiple arenas, including the media, the courts, the government and regulatory agencies, and the Internet itself. What was consistently overlooked in these battles were the users and consumers. With the discourses centered on legislative and judicial debates involving the government, policymakers, Korean ISPs, and global CPs, users have been sidelined. For example, in 2016, during the Facebook—SKB dispute, SKB users experienced significant slowdowns on Facebook and Instagram.

While Korean ISPs focused on disputes over network usage fee conflict, they neglected public service commitments. Notably, they lost their rights to the 28 GHz spectrum for failing to build the required 15,000 base stations (MIST, 2022b). Consequently, Korean users became victims of this hegemonic battle, as the government revoked 28 GHz licenses that could have improved network quality and user experiences. With time and resources consumed by prolonged debates over network usage fees, the establishment of a stable 5G network, especially for rural residents, has been marginalized, leaving users as unintentional victims of this power battle.

While the specific nuances of the network usage fees dispute may not be generalizable beyond South Korea, the issue is not limited to the South Korean context. In 2024, for example, a German regional court ruled that Meta must pay €20 million in network usage fees to Deutsche Telekom (DT). While DT accused Meta of not paying its fair share, Meta responded by terminating its direct peering with DT (Meta, 2024). Here, as in South Korea, users can become collateral victims in corporate disputes. DT users, for instance, may experience degraded service quality, such as slower speed or lower resolution, when

accessing Facebook, Instagram, or WhatsApp. While the DT-Meta conflict appears to be the only such lawsuit in Europe as of October 2025, it suggests that if these power battles intensify or proliferate, more consumers could be harmed.

In the conflict between global giant CPs and local ISPs, this study does not seek to determine which party should bear the cost of increased network traffic. Rather, through three South Korean case studies, we demonstrate how global battles over network usage fees exemplify hegemonic attempts by global CPs to pressure ISPs into accepting their terms through the formation of common sense. In the end, and much lamented, it is the ordinary user who suffers the most when digital networks battle for dominance.

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