

To
FCC Commissioners

From
David E Braddam Sr.

Gentlemen and Ladies:

The decision on the Time Warner / AOL acquisition - merger that you are on the verge of making is of extreme importance to all current internet users, and will be far reaching into the future.

From the outset the internet has been a medium of public exchange, information and contributory participation between idealists, business, and everyone between who cared enough to be concerned with technology. Often this information has been useful in daily living, sometimes it has been controversial, occasionally it has been offensive to someone.

But I have had the freedom to participate in this medium without fear of being excluded. AOL's purchase of Time Warner's Cable operations will impede this, if not lead to total cessation. Please witness the demise of an Instant Messaging cross platform application as evidence of AOL's indication that they are full bent on obtaining "ownership of the medium" and achieving maximum status, through purchasing, rather than building.

Not one individual using highspeed cable access will enjoy the freedoms available on any other types of internet connections if this purchased "ownership" is allowed. AOL will have autonomy over interoperability of standards - claiming "their CABLE NETWORK concerns" are mandating downturns in the available bandwidth when users wish to avail themselves of the promise that highspeed access has brought them. Please keep in mind there is no effective high-speed access except Time Warner, once it is under ownership of AOL amendments from that company to the following will effectively destroy the service as a medium of collaboration and interaction, in that AOL is and always has been able to effectively saturate the total bandwidth of it's users accessing their service with ad's and promotions for things they make even MORE money promoting.

Time Warner incorporated this clause to its acceptable use policy:

TIME WARNER COMMUNICATIONS SHALL HAVE THE SOLE AND UNREVIEWABLE RIGHT TO DETERMINE WHETHER CONTENT VIOLATES THESE STANDARDS.

The "standards" are such that absolutely anything I submit to anyone, anywhere could be considered to violate them. Including this document.

Even if I do not violate these standards, if I purchase "unlimited access" as soon as I try to use it, I am either speed-capped or terminated. From the acceptable use policy:

IF TIME WARNER DETERMINES THAT THE SUBSCRIBER HAS FAILED TO COMPLY WITH THE SERVICE'S STANDARDS OF CONDUCT OR LIMITS ON BANDWIDTH UTILIZATION, TIME WARNER MAY SUSPEND SUBSCRIBER'S ACCOUNT.

It appears that Time Warner wants only customers who do not upload any comments and who use the service merely to purchase additional services. I have been using the internet for quite a long time to communicate, not spend money with Time Warner, although I have 5 family members currently subscribed to their own accounts with Time Warner, not one of us, NOT ONE will consider becoming AOL'ers. This is a mistake for AOL the company and it's administrators are frowned upon the rest of the internet as a whole, and few experienced users are willing to be identified with the AOL label.

It appears that you may approve the AOL / Time Warner purchase / merger. If you do not act to require these companys to return to the basic principles of freedom of speech, there will be no hope for people like me who want to communicate, not purchase more and more and more of the AOL commercialization of the internet for the price of our bandwidth. The new company will likely totally control high-speed access in the future. I wonder if other people like me who do not embrace the AOL purchase of Time Warner will be welcomed on the internet through the new company.

It seems that you will establish some protection for the large corporations. Would you be effective in protecting the general public that does not care for the AOL business practices?

The internet is a creation of America and shows the world the power of freedom. It will be a sad commentary if the country which created freedom causes the demise of the most powerful voice for freedom now existing in the world. It will be a reflection on our country if all citizens of the world have freedom of speech on the internet, except American citizens due to the way our government officials handled a deal of the proportions of this AOL purchase of an entertainment and cable company.

The internet was designed for the citizens not these major corporations. I sincerely hope you consider my thoughts on this issue when you make your decision. If you do not, I believe that the result will be damaging to the internet as a powerful force for freedom in general, and freedom of speech in particular.

Thank You for your time

David E Braddam Sr.