

To the FCC Commissioners

Ladies and Gentlemen:

The internet was designed as a form of communication, not as a tool of commercial concerns to sell "content" to their subscribers. But to communicate on the internet, first you must get access to the internet.

You are considering a merger between two most powerful gatekeepers to the internet. AOL owns an incredible number of the ways to access the Internet, usenet groups, and chat related functions; most especially they own those platforms that are user-friendly. Please do not let them limit my access through IRC and USENET, two of the most used discussion forums on the Net. I entreat you not to let anyone prevent me from speaking my mind, or bytes, through this public forum based on the content of what I have to say.

The rules of AOL and Time Warner are extremely clear; if they do not approve my speech, I cannot speak. I am not allowed on the internet unless I defer to their opinion, not voice mine. And, if I decide to use the internet to send data, rather than merely purchase "content" from Time Warner and AOL, I am again summarily speed capped or banned from the internet. Their Acceptable Use policy states:

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

Why does Time Warner have the **SOLE AND UNREVIEWABLE RIGHT TO DETERMINE WHETHER CONTENT VIOLATES THEIR STANDARDS?** Why can't I post comment based on **MY** standards, not theirs? And, when I purchase **UNLIMITED SERVICE**, why can they then establish bandwidth limitations? Is this unlimited service? Is not a company required to deliver what the customer pays for?

I sincerely entreat you to consider me, and all other citizen users of the internet. Please, when you make your decision, insure that I can continue to use the internet, and specifically that high speed access will not be denied to me based upon the quantity or content of my speech.

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