

From: <BAM11766@aol.com>
To: <gtristan@fcc.gov>
Date: Sun, Dec 31, 2000 3:44 PM
Subject: (no subject)

I honestly believe that you dont know anything about what you are doing in your position. What have you been doing for the past year while the merger was announced ? You wait until the last minute to start to review this merger? You are totally incompetent of that position, you need to do yourself a favor and resign.

Bam11766@aol.com

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL

From: <PARGOLF7200@aol.com>
To: <gtristan@fcc.gov>
Date: Sun, Dec 31, 2000 4:13 PM
Subject: AOL/TWX MERGER

THE COUNTRY IS WATCHING YOU SCRUTINIZE THE AOL/TWX MERGER. IN MY OPINION YOU ARE NEGLIGENT AT YOU DUTIES IF YOU AND YOUR FELLOW FCC MEMBERS ARE SECUMMING TO POLITICAL PRESSURE BROUGHT ON BY MSFT AND DISNEY. I'M AN ORDINARY JOE AND I CAN SEE POLITICS INFLUENCING YOUR DECISION. SHOULD MSFT DISTRIBUTE IT'S OPERATING SYSTEM FOR THE WORLD TO USE, FREE OF CHARGE? SHOULD DISNEY ALLOW FREE ADMISSION TO IT'S THEME PARKS? THE ANSWER IS NO TO BOTH. I'M A SUBSCRIBER TO AOL, AND PERSONALLY I DON'T WANT OUTSIDE INFLUENCES HAVING ACCESS TO ME OR MY CHILDREN. I THANK YOU FOR YOUR TIME AND HOPE YOU WILL SEE FIT IN DOING YOUR JOB IN A TIMELY AND UNBIASED MANNER.

DAVID PERRETTA
DPERRETTA@AOL.COM

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From: <SKIP201239@aol.com>
To: <gtristan@fcc.gov>
Date: Sun, Dec 31, 2000 4:18 PM
Subject: (no subject)

ORIGINAL

I read in a news release you said "Specious limitations on this commission authority to protect and advance the public interest belong in the last century". Your specious limitations should be inforced for all centuries. You are doing nothing to protect and advance public interest! Your heavy handed regulation do not help the public in fact they impose significant cost on producers and consumers. Your regulations sounds like the type that would be enforce in China or North Korea. THIS IS AMERICA we need to keep our edge in the tech area. PLEASE APPROVE THE AOL/TIME WARNER WITHOUT FUTHER CONDITIONS. THANKS

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ORIGINAL

From: "Bob Rasmussen" <rasm47@nidlink.com>
To: <gtristan@fcc.gov>
Date: Sun, Dec 31, 2000 7:22 PM
Subject: AOL / Time Warner

Commissioner Tristani:

Thank you for your time to review this brief e-mail. As a consumer, I take this opportunity to tell you that I am greatly concerned about the merger between these two companies. Presently, the Internet is a medium that is already dominated by AOL, and the proposed merger between these two companies presents ever greater domination that I see as a significant threat to consumers. I believe that it is paramount that before any merger proceed that serious and significant communication issues be addressed, most specifically in written concessions by AOL.

Presently AOL has a service called Instant Messenger, which is quite proprietary, and does not interface well (in some cases at all!) with other instant messaging services. This area **MUST BE** addressed prior to any approval of this merger. The dominance of this one company, combined with the added threat of Time Warner, presents an environment for the Internet consumer that could be devastating. You must force these companies to take steps to level the playing field **BEFORE** the merger is approved. If that is not done, attempts to do so after the fact will be fruitless and the potential cost to consumers will ultimately be in the billions.

In a day when the protection of the consumer is so important, this merger represents the single biggest threat on the near or distant horizon. Please delay any approval until these companies prove the will and capability to implement the measures necessary to provide a level playing field for other Internet Service Providers, and the many of us who use competing features on these providers.

Thank you for your professional attention to this matter and request.

Sincerely,

Robert Rasmussen

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ORIGINAL

From: <TMusdjgx@aol.com>
To: <bkennard@fcc.gov>
Date: Mon, Jan 1, 2001 5:13 PM
Subject: AOL,TWX Merger

I know you are receiving numerous letters from their rivals, on the subject of Instant Messaging. If people on their service want to talk to people on AOL all they have to do is download AIM. Or people using Aol can download Microsoft, yahoo or ICQ messenger to communicate with each other. To me that is open Communication. I don't think it is about people not being able to communicate as much as greed. Doesn't Microsoft, ATT have enough without worrying about a program AOL developed. Maybe everyone should have a free Microsoft Office program, since that is what many businesses use, and would give people a better chance when they are looking for a job, instead of paying hundreds of dollars for it.

CC: <sness@fcc.gov>, <furchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>

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ORIGINAL

From: <WFU1000@aol.com>
To: <gtristan@fcc.gov>
Date: Mon, Jan 1, 2001 7:10 PM
Subject: Gloria

The time has come to approve the merger between AOL and Time Warner. Instant messaging has nothing to do with this merger. The business venture is pure and we have waited too long for a decision to be made. We thank Bill Gates and AT&T for their concerns however truth and justice will prevail. The merger is above board and perfectly legal - I think it's time to approve the merger.

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ORIGINAL

From: <WLeach6566@aol.com>
To: <gtristan@fcc.gov>
Date: Tue, Jan 2, 2001 12:07 AM
Subject: AOL-TW

Do your job.. Make a decison. Its been a year. A Tax Payer.....

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ORIGINAL

From: <Planetjfs@aol.com>
To: <gtristan@fcc.gov>
Date: Tue, Jan 2, 2001 1:03 AM
Subject: CLOSE THIS DEAL, PLEASE!

I sent this message to the other members of the commission as well. Thank you for reading this, if you actually did?

Can AOL and Time Warner shareholders get some closure on this issue? We have been in financial pain due to this merger and various political agendas. First the FTC dragged their feet and for all their bumbling came out with a unanimous decision. How can it take that long to come out with a unanimous decision, unless they are just trying to cover their rear ends and make it look like they are giving bias Disney and Microsoft claims a sincere forum?

Think of the shareholders and employees of American Online and Time Warner caught in the middle of this mess the next time you come out and delay a decision. I hope you read this and understand that a great deal of people are experiencing undue stress due to needless delays. Once this merger goes through and you know it will, the new American Online Company will begin serious cut backs and layoffs of former Time Warner staff. In turn, these individuals will be looking for jobs. I understand that Time Warner has botched some issues along the way, but come on everyone sees right through Disney and Microsoft when it comes to this issue. It should come down to the consumer and what is best for them! The government already screwed up with Microsoft! Monopoly? Pleaseeeeeee!!! They are getting their clock cleaned by Oracle and everyone knows it. There are no monopolies in the world of technology. For instance, look at IBM, the government went after them and by the time the case was finished IBM was a behind the times and the company was in need of a new business model. More wasted Tax Dollars! This merger will mean better choices for all of us, and the integration of new technologies and maybe even a new medium of information. These are exciting things which will be accomplished with the approval of this deal, and America deserves to have this consumer choice.

Now have some flunky in your office send me the generic reply letter. "We are working as fast as blah, blah, blah, blah!"

GET IT DONE!!!! PLEASE.

Thank you,

Joe S.
Providence, RI

planetjfs@aol.com

PS I hope you actually read this, and have a little more understanding of the internet and EMail unlike your counterparts at the FTC. They didn't even know what EMail is? How did they have the necessary knowledge to rule on this case? What will they do when they hear about VMail?

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From: <London555@aol.com>
To: <gtristan@fcc.gov>
Date: Tue, Jan 2, 2001 1:41 AM
Subject: PLEASE EXPLAIN WHY NO AOL VOTE YET-THANK YOU

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ORIGINAL

From: <KRPurcel@aol.com>
To: <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>
Date: Tue, Jan 2, 2001 2:02 PM
Subject: AOL/Time Warner merger

Dear Commissioners,

Please move forward expeditiously and either approve or dis-approve the AOL/Time Warner merger. As one of millions of small stock holders in both companies, I am watching my retirement evaporate while you vacillate over a decision.

The explanation given by your office that you have had insufficient time to review the proposed merger does not hold water with the average person. The merger was announced last January. There has been plenty of time. Your decision to delay more closely resembles the dis-information produced by both political parties over the presidential election.

Please stop playing politics. You are killing many of us.

Sincerely,
Kevin Purcell

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From: <DIANE4TOM@aol.com>
To: <sness@fcc.gov>
Date: Tue, Jan 2, 2001 4:53 PM
Subject: AOL / TWX MERGER

ORIGINAL

Dear Commissioner,

I would like to see you approve this merger without any more delay. At this point in time since there has been no objection by your office after almost one year I see no reason not to approve. This merger will be good for all since we all, including your office uses the end result of the product to come. Please let this country have a first in this business without delay. Without question the stock market could sure use a lift and the completion of this merger will do just that. Let us not punish for a good idea, we in this country teach our children that.

Thank You,
Thomas & Diane Lafferty
Ocean View , Delaware

CC: <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>

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FEDERAL COMMUNICATIONS COMMISSION
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From: <London555@aol.com>
To: <gtristan@fcc.gov>
Date: Wed, Jan 3, 2001 9:22 AM
Subject: WHY NO AOL VOTE ??

ORIGINAL

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**FEDERAL COMMUNICATIONS COMMISSION
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From: Dr. William G. Dols <gpere@aol.com>
To: <gtristan@fcc.gov>
Date: Wed, Jan 3, 2001 11:47 AM
Subject: Comments from Commissioner Tristani's Homepage

ORIGINAL

Dr. William G. Dols (gpere@aol.com) writes:

I see no valid reason for continued delay in approving the AOL merger. You have an impressive Web Page I would think you would have great appreciation for what AOL managment has done and will do in the future for the American economy and our capability to communicate.

Server protocol: HTTP/1.0
Remote host: 205.188.193.44
Remote IP address: 205.188.193.44

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**FEDERAL COMMUNICATIONS COMMISSION
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From: Mike Robey <mikerobey@charter.net>
To: <gtristan@fcc.gov>
Date: Wed, Jan 3, 2001 5:12 PM
Subject: Comments from Commissioner Tristani's Homepage

ORIGINAL

Mike Robey (mikerobey@charter.net) writes:

Gloria, the news says you are dragging your feet on the AOL Time Warner merger because of concerns about Instant Messaging. Do you realize that IM is free via ICQ? Do you understand that AOL pioneered this capability? Do you understand that if those lobbying you get their way they will work towards "stealing" AOL's customers which is what they really want to do?

I wonder what is meant by your concerns? If you are worried about cry baby Bill Gates and/or AT&T I might wonder why? Do you have some conflict of interest here?

It is stated somewhere on your Web page that you are concerned about making the internet available to all segments of society. This is EXACTLY what AOL has accomplished. I wonder more and more about politically minded appointees.

Regards, Mike

Server protocol: HTTP/1.0
Remote host: 24.240.90.162
Remote IP address: 24.240.90.162

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From: William Friedman
To: Bird, James; Ismail, Sherille; Onyeije, Karen
Date: Wed, Jan 3, 2001 6:59 PM
Subject: response from Tristani office

ORIGINAL

1. We are ok with the technical edits.
2. We will accept the reinsertion of the good faith negotiating material with reluctance and I would ask that your office seriously consider spelling out that the burden is on the complainant to establish a prima facie case, and then the burden of *production* (not persuasion) shifts to the respondent to produce a non bad faith reason for the action that is the subject of the complaint, and if such a response does not raise a material fact dispute about good faith, the matter ends there. (on the pleadings) I also hope you consider the amount of work your approach will likely occasion for this Agency and consider whether it is really worth it or not. Especially since you may have to hold evidentiary hearings and if AOLTW negotiates through its office of general counsel, you will have a hard time getting answers to questions because of the attorney/client privilege. Isn't there a simpler way to do this without making the FCC a referee of private disputes arising from contract negotiations. (also, if I am not mistaken, there is no general federal common law of contracts so the definition of good faith may be jurisdiction by jurisdiction)
3. We do not accept the clause in Option three that puts a four month figure regarding market dominance. I can discuss our objection to this in more detail if necessary.

One last thing, please do not forget that up to now we have maintained that the discussion section should focus on the public interest benefits of interoperability more than the antitrust analysis so there is some (perhaps significant) reformation of that section that is still ahead.

By the way, if we reach some final agreement on conditions between our offices, I can make the changes and email them back since I have already created a non redline form to work off of. Thanks WJF

CC: Tristani, Gloria

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From: <BIMINI28@aol.com>
To: <gtristan@fcc.gov>
Date: Wed, Jan 3, 2001 7:48 PM
Subject: AOL

ORIGINAL

Commissioner Gloria Tristani

This is a letter from an AOL share holder, I have been waiting so long for a decision , I would and I'm sure many others also are eager for you to vote YES on this merger. Happy New Year

Thank you,
Anita Nolin

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From: Lew Lewis <printer1@voicenet.com>
To: <gtristan@fcc.gov>
Date: Wed, Jan 3, 2001 8:22 PM
Subject: AOL MERGER

ORIGINAL

Dear Sir-

The delay of the approval of the AOL Time merger is costing shareholders as myself thousands of dollars in value. It is pretty clear that an approval is imminent.

Please approve asap

Thank you

Lew

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From: <London555@aol.com>
To: <gtristan@fcc.gov>
Date: Wed, Jan 3, 2001 8:56 PM
Subject: WHY NO AOL VOTE-LET THE MARKETS DECIDE -

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From: Lauren Miller <LMMKT2@aol.com>
To: <gtristan@fcc.gov>
Date: Wed, Jan 3, 2001 9:59 PM
Subject: Comments from Commissioner Tristani's Homepage

Lauren Miller (LMMKT2@aol.com) writes:

Dear Commissioner Tristani,

I am writing to you because I read of your concerns regarding the AOL/TWX merger. While the news story I read did not specify your exact reluctance, I thought it might be the same as mine.

I live in NYC, access the web through AOL, access cable through Time/Warner, read the NY Times, Business Week magazine, PC week magazine, and Fortune magazine. I watch HBO movies, regularly visit various web sites for news and commentary and research multiple business organizations for stock information and news that might effect stock prices. I do all of the above solely for myself and am not paid by anyone.

It has become more and more obvious to me that the AOL/TWX merger is not only foolhardy from a business perspective (just a personal viewpoint) but incredibly anti competitive from a public policy one. While I began researching the wide variety of businesses and subjects that AOL/TWX touches and influences, either through direct ownership or through contractual agreements or positions on corporate boards, it became abundantly clear to me through the AOL news outlets alone, let alone all the other AOL controlled means of mass media and communication, that I only get to hear an AOL slanted perspective on everything that effects AOL.

I only read or see negatively slanted information about AOL competitors and the partners of AOL competitors and positively slanted information about AOL and AOL partners. In other words, the definition of propaganda. I should mention that I own various stocks in different technology companies, pointedly Microsoft and Intel but also AOL and Sun Microsystems, among others.

I truly hope I am not expressing any bias toward any particular person on any company or on any particular company itself or for any other reason than I think it irresponsible not to do so.

Perhaps it is overbaked to see almost Orwellian proportions in the size and scope of the powers that will be given one mass media outlet and the people who make the decisions on what to say and who to say it about. Buts its impossible not to!

I only write you to implore you to consider these concerns and to request that you ask one of your staffers to check out what I have written to you. Ask them to substitute a person or company they may admire for one of AOL/TWX competitors and read any of the stories in that light or substitute any person or company or politician, for that matter, that you may not admire, and substitute that for AOL/TWX. Now imagine wanting a single idea or concept to be accepted or rejected through repetition and blanketing of media markets.

No one company should be allowed this kind of power. It is too dangerous in a democracy to be wrong about concentration of power in the means of mass communication. Democracy needs many voices. Even ones I think are wrong. And if the FCC approves this merger in its current form with the central control of so many different kinds of mass communications, it will undermine the ability of diverse points of view to be expressed and will ultimately fail to allow the interests of all the people to be heard.

Sorry for such a long note, and thank you for taking the time consider the size and scope of what should be considered as more than just another business deal.

Server protocol: HTTP/1.0
Remote host: 152.163.206.202
Remote IP address: 152.163.206.202

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ORIGINAL

From: David Cassel <destiny@cloud9.net>
To: <gtristan@fcc.gov>
Date: Thu, Jan 4, 2001 1:43 AM
Subject: AOL merger needs assurances

I've been following AOL for six years, and believe the FCC should be careful to get assurances on their Time-Warner merger.

AOL has a history of leveraging their dominance of markets unfairly, ignoring basic consumer protections, and even failing to abide by commitments they've made to government organizations.

Below is the address for an article I wrote for Boardwatch magazine with new information about AOL's business practices. I also have complaints from over 100 AOL customers who say AOL simply continued billing them after they'd instructed the service to cancel their accounts.

http://ispworld.com/bw/jul/Welcome_AOL_Hell.htm

I'm also concerned about AOL using the messaging monopoly to exclude rival companies from reaching their members.

David Cassel
The AOL Watch Newsletter
<http://www.aolwatch.org/list>

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ORIGINAL

From: <JMiamiTriad@aol.com>
To: <gtristan@fcc.gov>, <bkennard@fcc.gov>
Date: Thu, Jan 4, 2001 11:27 AM
Subject: STOP DELAYING! APPROVE AOL/TWX...

Before you decide to meddle in private business, please step back and look at the California energy market. Government restrictions preventing full deregulation of the energy market has left the market in chaos. California energy providers are on the brink of bankruptcy and consumers are going to have to pay increasingly higher rates as a result. The government's role should be as referee, not player. Do the right thing, show restraint and let the free market work!

Sincerely,
James Lawrence

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ORIGINAL

From: Marshall Thompson <A1CMLT@AOL.COM>
To: <gtristan@fcc.gov>
Date: Thu, Jan 4, 2001 2:31 PM
Subject: Comments from Commissioner Tristani's Homepage

Marshall Thompson (A1CMLT@AOL.COM) writes:

Dear FCC,

I am writing this e-mail in support of the merger of AOL/TWX. I believe fears of decreased competition (especially instant message) have been over blown. I find it hard to believe that approval is being hampered by this very issue. AOL makes no money from the instant message market and I believe rivals such as AT&T, Disney, and Microsoft are using this issue for the sole reason of delay. I have been using AOL since 1994 and have been very please. I ask that you approve the deal as is -- keeping in mind that the FTC has placed strong restrictions anyway. I think the FCC has done a good job on this merger so far in investigating these complex issues.

Sincerely,

Marshall L. Thompson

Server protocol: HTTP/1.0
Remote host: 152.163.195.197
Remote IP address: 152.163.195.197

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ORIGINAL

From: <JUME44@aol.com>
To: <bkennard@fcc.gov>
Date: Thu, Jan 4, 2001 3:53 PM
Subject: AOL/ Time Warner

Mr. Chairman and Committee Members:

I, as a consumer (along with my fellow 26 million AOL subscribers) want the content and innovation the AOL/ Time Warner merger will provide. Many web companies are dead or dying so why strangle one of the few companies that has a chance to be a pioneer in this new form of technology? Imagine the wonderful advances we would see if you allow the AOL/Time Warner merger to pass. It would bring immense content into the Internet and would force competitors to bring new forms of entertainment to the web. Who are you trying to save (Disney- who rapes families at their theme parks, Microsoft- who would put the US gov. out of business if they could, other dying ISP's- who failed to compete for market share and are slowly dying). If they don't play by the rules then go get them. All the best to you and the committee throughout 2001!

Sincerely and Respectfully,
Ryan D. Jumonville

CC: Commissioner Susan Ness: sness@fcc.gov
Commissioner Harold Furchtgott-Roth: hfurchtg@fcc.gov
Commissioner Michael Powell: mpowell@fcc.gov
Commissioner Gloria Tristani: gtristan@fcc.gov

CC: <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>

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ORIGINAL

From: David W. Greenlee <daveg@main-net.com>
To: <gtristan@fcc.gov>
Date: Thu, Jan 4, 2001 4:40 PM
Subject: Comments from Commissioner Tristani's Homepage

David W. Greenlee (daveg@main-net.com) writes:

I hope you vote against the Time Warner/AOL merger. Why? I run a tiny ISP in Urbana, Ohio and they refused to run my television/cable ad because they do not allow competitors to run ads on thier system. However they allow AT&T World link and AOL ads to run but not our's. So what does this say about thier promise to open thier system to competion. Please please vote against these people they are unfair and affraid to complete. Thank you for your consideration.

Server protocol: HTTP/1.0
Remote host: 208.163.87.144
Remote IP address: 208.163.87.144

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ORIGINAL

From: hr <hr2301@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Jan 4, 2001 4:58 PM
Subject: AOL/TW

I FAVOR THE PURCHASE OF TIME WARNER BY AOL AND ASK THAT YOU APPROVE THIS MERGER.

THANK YOU

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FEDERAL COMMUNICATIONS COMMISSION
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ORIGINAL

From: <DIANE4TOM@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Jan 4, 2001 5:55 PM
Subject: AOL/TWarner Merger

Taking far too long in signing this wonderful merger. I do appreciate all of the time and effort you have made in making this merger possible. Take care, Diane Mae Lafferty. Hurry in the affirmative today. Sincerely, Diane Mae Lafferty

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